PB# 03-12

Central Hudson Sub-Station (SP)

12-1-48

TOWN OF NEW WINDSOR
PLANNING BOARD
APPROVED COPY
DATE: 9-23-04

Part 1 Environmental Assessment Form

CENTRAL HUDSON GAS & ELECTRIC CORP.

Proposed New Substation

Union Avenue
Town of New Windsor
Orange County, New York

January 30, 2003
Revised April 25, 2003

THE Chazen COMPANIES

Prepared For:
Central Hudson Gas &
Electric Corp.
284 South Avenue
Poughkeepsie, NY 12601

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THE Chazen COMPANIES

Prepared by:

The Dutchess County Office
The Chazen Companies
21 Fox Street
Poughkeepsie, New York 12601

Dutchess County *(845) 454-3980*
Orange County *(845) 567-1133*
Capital District *(518) 235-8050*
North Country *(518) 812-0513*

INTRODUCTION

The Chazen Companies
January 30, 2003
Revised April 25, 2003

INTRODUCTION

The Applicant, Central Hudson Gas & Electric Corporation, currently operates a substation on Union Avenue in the Town of New Windsor. The Applicant is proposing the construction of a new substation with a 880 s.f. control building on a 1.21 acre deed parcel adjacent to the existing substation. The 1.21(+/-) acre site is part of a tax parcel identified as parcel number 12-1-48 on the Town of New Windsor Tax Map which is owned by the Applicant. For the purpose of this Part 1 Environmental Assessment Form (EAF), the project area is defined as the 1.21(+/-) acre site which contains the proposed New Substation.

The project area is situated in the Suburban Residential (R-4) Zoning District as designated by Town of New Windsor Zoning Map. The existing substation, a public utility, is not a permitted use nor specially permitted use in the Suburban Residential Zoning District, and is thus an existing nonconforming use. The Applicant's proposal is considered an expansion of an existing non-conforming use. The proposed substation control building is set back from the front parcel line a distance of 94 feet, approximately 135 feet from the west side lot line, and 128 ft from the rear lot line. Although the proposed substation control building is located 43 feet from the eastern side lot line, this lot line and the rear lot line are internal to the Central Hudson Gas & Electric tax parcel and thus, the adjacent property owners will not be affected.

The 1.21 acre project site is currently vacant. The proposed new substation will not affect the amount of water usage, wastewater generation, solid waste generation and traffic generation since the substation will not be staffed. At a minimum, a representative of Central Hudson Gas & Electric Corp. will visit the site approximately once per month for a thorough site inspection and maintenance purposes as necessary.

PART 1
ENVIRONMENTAL ASSESSMENT FORM

The Chazen Companies
January 30, 2003
Revised April 25, 2003

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasureable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY
DETERMINATION OF SIGNIFICANCE - Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonable determined by the lead agency that:

☐ A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore **a negative declaration will be prepared.**

☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***

☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions.

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Deborah S Hubbard
Signature of Preparer (if different from responsible officer)

Date

PART 1 - PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION	*Central Hudson Gas & Electric Corp. Proposed Substation*		
LOCATION OF ACTION	*Union Avenue*		
NAME OF APPLICANT/SPONSOR *Bob Thomas, Real Estate*	*Central Hudson Gas & Electric Corp.*	BUSINESS TELEPHONE *(845) 486-5515*	
ADDRESS	*284 South Avenue*		
CITY/PO	*Poughkeepsie*	STATE *NY*	ZIP CODE *12601*
NAME OF OWNER (if different) *Same as Applicant*		BUSINESS TELEPHONE	
ADDRESS			
CITY/PO		STATE	ZIP CODE
DESCRIPTION OF ACTION *Proposed new substation on 1.21 acre site adjacent to existing substation on Union Avenue, including a new control building, storage area and an overhead structure area.*			

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential ☐ Rural (non-farm)
   ☐ Forest ☐ Agricultural ■ Other: vacant

2. Total acreage of project area: 1.21(+/-) acres[1]

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-Agricultural)	_____ acres	_____ acres
Forested	1.21(+/-) acres	0.50(+/-) acres
Agricultural (includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (freshwater or tidal as per Articles 24, 25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (rock, earth fill, gravel)	_____ acres	0.66(+/-) acres
Roads, buildings and other paved surfaces	_____ acres	0.02(+/-) acres
Other (Indicate type: lawn/landscaped areas)	_____ acres	0.03(+/-) acres

3. What is predominant soil type(s) on project site: Swartswood-Mardin (SxC)[2]
   a. Soil drainage: ■ Well drained 25(+/-)% of site ■ Moderately well drained 75 % of site
   ☐ Poorly drained _____% of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? NA acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ■ Yes ☐ No
   a. What is depth to bedrock? varies feet[3]

5. Approximate percentage of proposed project site with slopes: ■ 0-10% 40% ■ 10-15% 55%
■ 15% or greater 5 %

6. Is project substantially contiguous to or contain a building site, or district, listed on the State or National Registers of Historic Places? ☐Yes ■ No[4]

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐Yes ■ No[5]

8. What is the depth of the water table? varies (in feet)[6]

9. Is site located over a primary, principal, or sole source aquifer? ☐Yes ■ No[7]

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐Yes ■ No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? ☐Yes ■ No
According to Site is surrounded by developed area.
Identify each species: _____

12. Are there any unique or unusual land forms on the project site? (i.e. cliffs, dunes, or other geological formations) ☐Yes ■ No
Describe: _____

13. Is the project site presently used by the community or neighborhood as an open space or recreation area? If yes, explain: ☐Yes ■ No

14. Does the present site include scenic views known to be important to the community? ☐Yes ■ No

15. Streams within or contiguous to the project area: none[8]
a. Name of Stream and name of River to which it is tributary: _____

16. Lakes, ponds, wetland areas within or contiguous to project area: yes[9]
a. Name: wetland area b. Size (in acres): 0.9(+/-) acres

17. Is the site served by existing public utilities? (electric) ■ Yes ☐No
a. If Yes, does sufficient capacity exist to allow connection? ■ Yes ☐No
b. If Yes, will improvements be necessary to allow connection? ■ Yes ☐No

18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law 25-AA, Section 303 and 304? ☐Yes ■ No[10]

19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐Yes ■ No[11]

20. Has the site ever been used for the disposal of solid or hazardous waste? ☐Yes ■ No[12]

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
a. Total contiguous acreage owned or controlled by project sponsor 6.9(+/-) acres
b. Project acreage to be developed: 0.68(+/-) acres initially; 0.68(+/-) acres ultimately.[13]
c. Project acreage to remain undeveloped: 0.74(+/-) acres.
d. Length of project in miles: NA (if appropriate).
e. If the project is an expansion, indicate percent of expansion proposed: NA%.
f. Number of off-street parking spaces existing: 0 proposed: 0[14]
g. Maximum vehicular trips generated per hour: 1 per month[15] *P.M. peak* (upon project completion).
h. If residential, number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	NA			
Ultimately	NA			

i. Dimensions (in feet) of largest proposed structure: 1 story height; 22 ft width; 40 ft length[16]
j. Linear feet of frontage along a public thoroughfare project will occupy is: 200 (+/-) feet[17]

2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 100(+/-) cubic yards.

3. Will disturbed areas be reclaimed? ■ Yes ☐ No
   a. If Yes, for what intended purpose is site being reclaimed? use on site (except for non-suitable backfill)
   b. Will topsoil be stockpiled for reclamation? ■ Yes ☐ No
   c. Will upper subsoil be stockpiled for reclamation? ■ Yes ☐ No

4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.68(+/-) acres.[18]

5. Will any mature forest (over 100 years old) or other locally important vegetation be removed from site? ☐ Yes ■ No

6. If single-phase project, anticipated period of construction: 2 months (including demolition).

7. If multi-phased: NA months
   a. Total number of phases anticipated: _____ (number).
   b. Anticipated date of commencement of phase one: month, year.
   c. Approximate completion date of final phase: month, year.
   d. Is phase one functionally dependent on subsequent phases? ☐ Yes ☐ No

8. Will blasting occur during construction? ☐ Yes ■ No[19]

9. Number of jobs generated - during construction: 20 ; after project is complete: 0[20]

10. Number of jobs eliminated by this project: 0

11. Will project require relocation of any projects or facilities? ☐ Yes ■ No
    If Yes, explain: _____

12. Is surface liquid waste disposal involved? ☐ Yes ■ No[21]
    a. If Yes, indicate type of waste (sewage, industrial, etc.) and amount: _____
       Name of water body into which effluent will be discharged: _____

13. Is subsurface liquid waste disposal involved? ☐ Yes ■ No

14. Will surface area of an existing body of water increase or decrease by proposal? ☐ Yes ■ No
    If Yes, explain: _____

15. Is project or any portion of project located in a 100-year floodplain? ☐ Yes ■ No[22]

16. Will project generate solid waste? ☐ Yes ■ No[23]
    a. If Yes, what is the amount per month? _____
    b. If Yes, will an existing solid waste facility be used? ☐ Yes ☐ No
    c. If Yes, give name: _____; location: _____
    d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☐ No
       If Yes, explain: _____

17. Will project involve the disposal of solid waste? ☐ Yes ■ No
    a. If Yes, what is the anticipated rate of disposal? _____ tons/month
    b. If Yes, what is the anticipated site life? _____ Years

18. Will project use herbicides and pesticides? ■ Yes[24] ☐ No

19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ■ No

20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ■ No

21. Will project result in an increase in energy use? ☐ Yes ■ No
    If Yes, indicate type(s): _____

22. If water supply is from wells, indicate pumping capacity: NA gallons/minute

23. Total anticipated water usage per day: NA gallons/day

24. Does project involve Local, State or Federal funding? ☐ Yes ■ No
    If Yes, explain: _____

25. Approvals Required:

~~City~~, Town, ~~Village~~, Board	■ Yes	☐ No	Possibly special permit approval to be determined by PB
~~City~~, Town, ~~Village~~, Planning Board (PB)	■ Yes	☐ No	Site Plan
~~City~~, Town Zoning Board	■ Yes	☐ No	Possibly variance to be determined by PB
~~City~~, County Health Department	☐ Yes	■ No	
Other Local Agencies	☐ Yes	■ No	
Other Regional Agencies	☐ Yes	■ No	
State Agencies	☐ Yes	■ No	
Federal Agencies	☐ Yes	■ No	

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ■ Yes ☐ No
   If Yes, indicate decision required:
   ☐ zoning amendment ■ zoning variance (possibly) ■ special use permit (possibly) ☐ subdivision ■ site plan
   ☐ new/revision of master plan ☐ resource management plan ☐ other
2. What is the zoning classification(s) of the site? Residential (R-4)
3. What is the maximum potential development of the site if developed as permitted by the present zoning?
   maximum 30% depending on use, or 18,556 s.f. building footprint for the 1.21 acre site.
4. What is the proposed zoning of the site? NA
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning? NA
6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☐ Yes ■ No[25]
7. What are the predominant land uses and zoning classifications within one-quarter mile?
   Public utilities, residential
8. Is the proposed action compatible with adjoining/surrounding land uses within a quarter mile? ■ Yes ☐ No
9. If the proposed action is a subdivision of land, how many lots are proposed? NA
   What is the minimum lot size proposed? _____
10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ■ No
11. Will proposed action create a demand for any community provided services (recreation, education, police, fire protection)? ☐ Yes ■ No
    a. If Yes, is existing capacity sufficient to handle projected demand? ☐ Yes ☐ No
12. Will proposed action result in the generation of traffic significantly above present levels? ☐ Yes ■ No
    a. If yes, is the existing road network adequate to handle the additional traffic? ☐ Yes ☐ No

D. INFORMATION DETAILS

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. VERIFICATION

I certify that the information provided here is true to the best of my knowledge.

Applicant/Sponsor Name: Central Hudson Gas & Electric Corp. Date: Jan. 27, revised April 25, 2003

Signature: Debra S Hubbard agent for Applicant Title: Applicant

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

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ENDNOTES

[1] Represents the total project area which consists of a 1.21 acre portion of tax parcel 12-1-48. Approximately 0.68 acres of the 1.21 acre project site will be developed.

[2] According to the *Soil Survey of Orange County,* USDA, SCS in cooperation with Cornell Universtiy Agricultural Experiment Station, October 1981, Map # 31, the site contains the Swartswood-Mardin very stony soils, sloping, soil series (SxC). The Swartswood soil series is a well drained and moderately well drained soil, and the Mardin soil series is a moderately well drained soil.

[3] According to the *Soil Survey of Orange County,* USDA, SCS in cooperation with Cornell Universtiy Agricultural Experiment Station, October 1981, Map # 31, the site contains the Swartswood-Mardin very stony soils, sloping, soil series (SxC). Both the Swartswood soil series and the Mardin soil series have a depth to bedrock of greater than 60 inches. Based on field observation, rock outcrops do exist on the site. Field investigation as described in the Geotechnical Report by Daniel G. Loucks, P.E., dated January 14, 2003, (attached) indicate that rock was encountered at depths ranging from 5 to 7.5 feet.

[4] According to a review of the National/State Register Listings in Orange County received June 29, 2000, from the Office of Parks, Recreation, and Historic Preservation.

[5] According to data from the U.S. Department of the Interior dated December 19, 2000.

[6] According to the *Soil Survey of Orange County,* USDA, SCS in cooperation with Cornell Universtiy Agricultural Experiment Station, October 1981, Map # 31, the site contains the Swartswood-Mardin very stony soils, sloping, soil series (SxC). The Swartswood soil series has a depth to water table of 2.0 to 4.0 ft from November to March, and the Mardin soil series has a depth to water table of 1.5 to 2 ft from March to May. The Geotechnical Report by Daniel G. Loucks, P.E., dated January 14, 2003, (attached) estimates groundwater levels at depths of 1 foot or greater in the lower portion of the site, while groundwater was not encountered in the the borings located at higher elevations. Mr. Loucks notes that perched groundwater tables may occur at the higher elevations dependent on seasonal rainfall and surface runoff, as demonstrated in some of the borings.

[7] According to the New York State Department of Environmental Conservation Division of Water Technical and Operational Guidance, Series (2.1.3), Primary and Principle Aquifer Determinations, Table 1, 1990, and the *Atlas of Eleven Selected Aquifers in New York,* U.S. Geological Survey in cooperation with the NYS Department of Health, 1982.

[8] According to the *New York State Department of Environmental Conservation Stream Map, Cornwall-on-Hudson Quadrangle,* the proposed site does not contain nor is contiguous to a NYS classified stream.

[9] According to the New York State Department of Environmental Conservation *New York State Freshwater Wetlands Map, Cornwall-on-Hudson Quadrangle,* the 1.21 acre project site does not contain nor is contiguous to a State designated wetland. According to the *National Wetlands Inventory Map, Cornwall-on-Hudson Quadrangle,* the property does not contain nor is contiguous to a Federally designated wetland. However, field investigation indicates that a 0.9 acre wetland area exists on the site

[10] According to the map entitled *Orange County, NY, Agricultural District Lands, 1996,* prepared by Orange County Department of Planning, 2002, the site is not located within an Agricultural District.

[11] According to the *Critical Environmental Areas* document received from the NYSDEC on July 13, 2000, last updated June 3, 1999.

[12] According to the report *Inactive Hazardous Waste Disposal Sites in New York State: Region 3,* prepared by the New York State Department of Environmental Conservation, Division of Solid and Hazardous Waste, April 2001.

[13] Represents the area of impervious surface, excluding lawn and landscaped areas.

[14] The proposed New Substation will not be staffed. A representative of Central Hudson Gas & Electric Corp. will visit the site approximately once per month for maintenance purposes, and parking of company vehicles will be within the substation fenced area.

[15] The proposed New Substation will not be staffed. A representative of Central Hudson Gas & Electric Corp. will visit the site approximately once per month for maintenance purposes.

[16] Represents the dimensions of the proposed Control Building.

[17] Represents the linear road frontage of the 1.21 acre project site along Union Avenue.

[18] Represents the increase in impervious surface, excluding lawn/landscaped areas.

[19] Blasting is not expected to be required. However, if necessary, blasting will be performed in compliance with all State and Local Requirements.

20 The proposed substation will not be staffed, and will be visited by Central Hudson Gas & Electric representative approximately once monthly for maintenance purposes.

21 The proposed New Substation will not be staffed and thus, will not result in any water usage or wastewater generation at the site.

22 According to the National Flood Insurance Program *Flood Insurance Rate Map, Town of New Windsor, New York, Community Panel No. 3606280001 0010B,* the project site is not located within a 100-year floodplain.

23 The proposed Substation will be unmanned, and thus, will not generate a measurable amount of solid waste.

24 A minor amount of herbicides/pesticides will be utilized according to Central Hudson Gas & Electric Company Operations and Maintenance Program standards.

25 The proposed use of the parcel is not a permitted nor specially permitted use in the R-4 zoning district. However, the proposed substation is considered an expansion of the existing adjacent non-conforming use operated by Central Hudson Gas & Electric Corporation.

GEOTECHNICAL REPORT for ADDITIONS TO UNION AVENUE SUBSTATION

by Daniel G. Loucks, P.E.

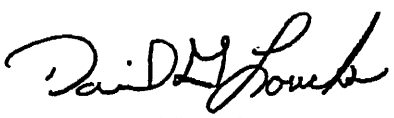
The Chazen Companies
January 30, 2003
Revised April 25, 2003

Geotechnical Report
For
Additions to Union Avenue Substation
New Windsor, New York

Prepared For:

CH Energy Group, Inc.

Prepared By:



Daniel G Loucks, PE
NYSPE 068389

14 January, 2003

INTRODUCTION:

The subsurface investigation for the proposed Addition to CHGE Union Avenue Substation, New Windsor, New York has been completed. Soil & Material Testing Inc. of Castleton, New York has completed seven (7) soil borings at the site. The logs of these borings, along with a location diagram, have been included in the appendix of this report.

It is my understanding that the proposed construction will include a new substation located approximately as indicated on the boring location diagram. The configuration of the substation has not yet been determined but it is likely to support some structures with light vertical loads and overturning moments. Vertical loads will be less than 100 kips and overturning moments will not exceed 350 ft-kips.

The settlement tolerances are considered to include up to 1/2 inch of total settlement and 1/2 inch of differential settlement with in 30 feet.

The finished ground elevation will be established at between elevation 285 and 290 ft msl. This will require up to 17 feet of cut and 14 feet of fill.

The purpose of this report is to describe the investigation conducted and the results obtained; to analyze and interpret the data obtained; and to make recommendations for the design and construction of the feasible foundation types and earthworks for the project.

The scope of my services has been limited to coordinating the boring and laboratory investigation, analyzing the soils information, and providing a geotechnical report with foundation recommendations. Environmental aspects of the project should be performed by qualified others.

FIELD INVESTIGATION PROCEDURES:

The borings were extended by means of 3.25 inch ID, hollow-stem, augers and by using various cutting bits using circulating drilling fluid to remove the cuttings from the hole.

Representative samples were obtained from the boring holes by means of the split-spoon sampling procedure performed in accordance with ASTM D 1586. The standard penetration values obtained from this procedure have been indicated on the soil boring logs.

Soil samples obtained from these procedures were examined in the field, sealed in containers, and shipped to the laboratory for further examination, classification and testing, as applicable.

Representative samples of the rock materials were obtained by means of the diamond-bit sampling procedure performed in accordance with ASTM D 2113. NX-size core barrels were used for this sampling procedure. Rock samples obtained from this procedure were examined in the field, placed in wooden core-sample boxes and shipped to the laboratory for further examination and classification.

During the investigation, water level readings were obtained at various times where water accumulated in the boring hole. The water level readings, along with an indication of the time of the reading relative to the boring procedure, have been indicated on the soil boring logs.

In addition to the field boring investigation, the soil engineer visited the site to observe the surface conditions.

LABORATORY INVESTIGATION:

All samples were examined in the laboratory by the soil engineer and classified according to the Unified Soil Classification System. In this system, the soils are visually classified according to texture and plasticity. The appropriate group symbol is indicated on the soil boring logs.

Samples exhibiting significant percentages of fine-grained soils or organic materials were subjected to moisture content testing. This testing was performed in accordance with ASTM D 2216-71. The results of these tests have been included in the appendix of the report.

Sieve Analyses were performed on representative samples in accordance with ASTM Specification D 422. These tests were performed to verify the visual soil classifications. Results of the tests can be found in the appendix of the report.

No formal laboratory tests were performed on the soil samples.

SITE CONDITIONS:

The proposed substation location is on the western side of the existing substation. The area is lightly wooded with a small stream along the northern portion of the site. Some rock outcrops and/or boulders are visible along the southern and eastern portion of the site.

The ground surface slopes fairly gently from the southwest to the northeast corner of the property.

SUBSURFACE CONDITIONS:

The specific subsurface conditions encountered at each boring location are indicated on the individual soil boring logs. However, to aid in the evaluation of this data, I have prepared a generalized description of the soil conditions based on the boring data.

The borings showed an upper layer of silty topsoil that extends to between 0.5 and 2.0 feet.

Below the topsoil is a layer of sand and silt/clayey silt with a trace to some weathered rock and gravel. This layer is medium dense to dense and extends to between 2.0 and 6.5 feet below the existing ground surface.

Below the sand and silt/clayey silt is a layer of weathered shale with a trace to some weathered dolostone, silt and sand. This weathered layer extended to split spoon refusal at between 5.0 and 7.5 feet.

Rock cores were taken in borings 2 and 7. The core in boring 2 showed weathered shale between 7.0 and 10.5 feet. Fractured dolostone was encountered from 10.5 to 12.0 feet. The Rock Quality Designation (RQD) for the core was 7 percent. The rock core in boring 7 was fractured dolostone with an RQD of 12 percent.

GROUNDWATER CONDITIONS:

Based on the groundwater levels observed during the boring investigation, the moisture condition of the samples recovered from the boring holes and coloration of the soil samples, I judge that the groundwater level was located below depth of 1.0 feet in the lower portion of the site. No water was encountered in the boring locations at the higher elevations.

Perched groundwater tables may occur at higher elevations in the soil profile due to groundwater being retained by layers or lenses of silt or clay soils. Perched or seasonal groundwater levels are sometimes indicated by mottled brown/gray soils. These soil conditions were observed as shallow as the existing ground surface.

Some fluctuation in hydrostatic groundwater levels and perched water conditions should be anticipated with variations in the seasonal rainfall and surface runoff.

ANALYSIS AND RECOMMENDATIONS:

Site Work:

The proposed construction areas should be cleared and grubbed and all organic topsoil and vegetation along with any uncontrolled fill and debris should be stripped from the site. The subgrade should be proof-rolled with a 10-ton roller. This proof rolling will compact the subgrade and reveal the presence of soft spots. If saturated subgrade conditions exist, I recommend that the subgrade be observed and probed by the soil engineer in place of proof rolling. Any soft spots should be excavated and backfilled with controlled fill material.

I estimate that the upper layer of weathered shale bedrock could be ripped provided proper equipment is used. The thickness of weathered shale varies from between 1.0 and 4.5 feet. The weathered dolomite will be difficult to rip. I estimate that only the upper 0.5 to 1.0 feet of the dolomite could be ripped. The depth of removal of any rock will depend on the type of equipment, the size of the excavation and the soundness of the rock encountered.

An alternate way to stabilize a spongy, but suitable, virgin, subgrade would be to spread a reinforcement or separation type of geotextile on the subgrade and follow with a lift of clean, granular fill or stone. The thickness of the controlled fill can range from 1.0 to 2.5 feet, as necessary, to achieve a working mat upon which to construct the remainder of the controlled fill or to place footings. If open graded stone is used as controlled fill a layer of geotextile should be placed on top and along the sides of the stone before placing any sand/gravel controlled fill over the stone.

A third way to stabilize subgrade areas, which are soft and spongy, would be to roll in coarse fill such as crushed rock materials. Such material should be thoroughly rolled in to be sure that the voids are filled completely with fines.

Controlled Fill:

Controlled, relatively clean, granular fill can be spread in lifts not exceeding 12 inches in loose thickness. These materials should be compacted to a minimum of 95 percent of the maximum ASTM Specification D 1557-91 density, modified proctor.

Materials containing significant percentages of fine-grained soils or cohesive materials should be spread in lifts not exceeding 9 inches in loose thickness and compacted to a minimum of 90 percent of the same density standard.

On-site silty soils may be difficult to compact during wet weather or poor drying conditions. Given good drying conditions, the on-site silty soil fill could be compacted using disc harrows and sheepsfoot rollers or rubber-tired rollers, as applicable. These types of soils are sensitive to moisture content and weather conditions. During freezing or wet weather conditions these materials may not be able to be adequately compacted for use as structural fill.

Crushed or ripped rock can be used as controlled fill provided the individual particle size does not exceed 8 inches and the material has a minimum of 20 percent passing the ¼ sieve. The rock fill should be placed in lifts not exceeding 12 inches in thickness and should be compacted with a minimum of 10 passes of a vibratory roller rated at 20 tons or larger.

I recommend that if rock fill is used that it be placed in the lower areas first. Rock fill placed within 4 feet of the proposed ground surface elevations will make the excavation and placement of foundations difficult. I do not recommend using large rock as fill if caisson foundations are used. If the rock is crushed with an on-site crusher to a maximum particle size of 4 inches, then the crushed rock material could be used up to the elevation of the subbase for the proposed station and in caisson locations.

All controlled fill should be free of organic and/or frozen material.

Free-draining controlled fill should have less than 10 percent fines passing the #200 sieve.

Foundations:

I recommend that structures with only vertical loading be supported by spread footing foundations resting on virgin, inorganic, soils or rock or on controlled fill which, in turn, rests on these virgin materials. Footings can be designed for a maximum, net, allowable soil bearing pressure of 3000 psf. Footings resting on sound rock can be designed for a maximum allowable rock bearing pressure of 10,000 psf.

If there are structures with overturning moments large enough cause spread footing sizes to be greater than 10 feet square, caisson foundations or the used of rock bolts should be considered. I should be consulted for further recommendations when a final design has been chosen. I have provided some alternatives with design values to aid in determining an appropriate design.

Because the exact ground surface elevation has not been determined it is difficult to estimate where bedrock will be encountered. Based on the finished elevation of between 285 and 290 ft msl sound rock near borings 6 and 7 would be encountered at a depth of between approximately 13 and 18 feet below the proposed finished ground surface. At these locations, caisson foundations may be economical. Caissons should extend a minimum of 3 feet into sound rock. A maximum side shear strength of 50 psi for the rock socket can be used for design to resist uplift.

A minimum caisson diameter of 3.0 feet should be used for design. The soils engineer should observe rock socket to verify that the rock is adequate for the design loads.

To resist overturning and sliding a static lateral passive pressure of 250 psf per foot of embedment can be used. This static, passive pressure resistance value has been reduced from the calculated full passive pressure because of stress/strain characteristics of the soil. To develop the full, calculated resistance a certain amount of movement or deflection in the structure is required. The amount of movement required to generate this resistance generally greater then is acceptable for structures. I therefore recommend that the full passive pressure not be used.

The resistance of the upper two feet of soil, when determining the passive pressure resistance should be ignored due to surface effects of frost and moisture.

Rock bolts, to resist overturning forces, may be more economical for foundations supporting structures with larger overturning moments near borings 1,2,3,4 and 5. Rock bolts should extend a minimum of 10 feet into sound rock. A maximum shear strength of 75 psi can be used for design. The prestress in the bolts can also be used to resist the shear loads.

Hollow-core rock bolts similar to those manufactured by Williams Form Engineering Corporation or equivalent are recommended. The grout provides an extra margin of safety and protection against loss of prestress through weathering. The full tension is applied to the mechanical anchorage before grouting the bolts. This results in the prestress being applied to the bolt's full length. Various sizes of bolts are available. Various depths and spacing as well as batter or inclination of the bolts could be considered. It is generally better to use a greater number of smaller bolts than a few larger ones to avoid too much reliance on any one bolt.

In addition to securing the bolt to the rock by mechanical anchorage and grout, enough rock mass must be penetrated by the bolt pattern to resist the tension load. This is normally the determining factor in the design for substantial uplift loads. I normally recommend ignoring perimeter shear resistance around the rock mass and using it as an unspecified part of the safety margin. The resisting mass for one isolated bolt would be an inverted cone of rock with its tip at the bolt tip and cone sides inclined at up to 1.0 vertical to 1.0 horizontal. This is an inverted 90° cone. When a group of bolts is used, the cones overlap and this must be discounted in calculating the volume.

A density of 145 pcf can be assumed for the dolostone rock encountered.

A factor of safety of 1.50 could be used for the design of the resisting weight of rock. The actual factor of safety will be substantially higher because the perimeter shear resistance is ignored in the calculations. The allowable bond stress includes a safety factor, which should exceed 3.0.

All individual bolts should be tested for pullout resistance after installation. It should be emphasized that pullout tests of individual bolts do not verify the group effect. The calculated resisting weight of the rock mass must be relied upon or a large-scale pullout test of a group of bolts conducted.

The recommendations given here are based on the cores taken.

The soil engineer should observe the footing subgrade at the beginning of the project or if conditions change to verify the allowable bearing pressure of the rock encountered.

A minimum footing width of 2.0 feet is recommended for load bearing strip footings. Isolated footings should be at least 3.0 feet wide.

Exterior footings or footings in unheated areas should have a minimum of 4.0 feet of embedment for protection from frost action.

Seismic Conditions:

The potential seismic conditions at the proposed site have been investigated using the information provided in ASCE 7-98 Section 9 and the boring information obtained during my investigation.

Based on the soil boring information it is my opinion that the overall Site Classification (Table 9.4.1.2) could be assumed to be C. For structures resting on sound rock a Site Classification B can be used. Using figures 49.4.1.1 (a and b), and the data from the USGS Hazards Mapping, I estimate that the mapped maximum earthquake spectral response acceleration at short periods is 33.5 and the mapped maximum earthquake spectral response acceleration at 1 s period is 8.9. The probabilistic ground motion values are expressed in %g.

A copy of the USGS Seismic Hazard Mapping has been included in the appendix of this report to provide additional information if required.

The soil borings do not indicate any significant potential seismic hazards such as liquefaction, sensitive clays or weakly cemented soil.

Grading:

I recommend that cut slopes in weathered shale rock not be graded steeper than 1:1 (H:V). Rock slopes in sound rock can be graded at 1.0:0.75 or shallower.

Soil slopes should not be graded steeper than 3:1 (H:V). Slopes using on site silty soils in wet areas should be graded at a 4:1 (H:V) or shallower unless a minimum of 1.5 foot thick rip rap facing is used.

Any slope greater then 15 feet in height should be reviewed by the soil engineer after a final grading plan has been determined.

CONSTRUCTION PROCEDURES AND PROBLEMS:

All excavations of more than a few feet should be sheeted and braced or laid back to prevent sloughing in of the sides.

Excavations should not extend below adjacent footings or structures unless properly designed sheeting and bracing or underpinning is installed.

Footing subgrades should be tamped to compact any soil disturbed during the excavation process.

A layer of geotextile (Amoco 4510 or equal) and 6 to 12 inches of crushed stone may be required in footing excavations to prevent disturbance of the virgin subgrade during wet weather.

Sump-pit and sump-pump-type dewatering may be required in excavations or low areas during wet weather or if groundwater is encountered.

Temporary paving using coarse fill material or separation/ reinforcement geotextile and coarse fill material may be required for moving about the site during wet or thaw weather.

Subgrades should be kept from freezing during construction.

Water, snow, and ice should not be allowed to collect and stand in excavations or low areas of the subgrade.

Some obstacles, including cobbles/boulders and bedrock, may be encountered in excavations.

The use of hydraulically operated rippers, pneumatic tools, or drilling and blasting may be required to remove bedrock or large boulders if encountered.

Caisson excavations may require temporary casing to prevent cave in and to reduce the amount of groundwater entering the excavation. Use of blasted rock as controlled fill may require some pre-excavation by excavators to install the caisson.

Addition to Union Avenue Substation
New Windsor, New York
File No.994

CONTENTS OF APPENDIX:

GENERAL NOTES

DRILLING & SAMPLING SYMBOLS

SS : Split-Spoon — 1¾ " I.D., 2" O.D., except where noted
S : Shelby Tube — 2" O.D., except where noted
PA : Power Auger Sample
DB : Diamond Bit — NX: BX: AX:
CB : Carboloy Bit — NX: BX: AX:
OS : Osterberg Sampler — 3" Shelby Tube
HS : Housel Sampler
WS : Wash Sample
FT : Fish Tail
RB : Rock Bit
WO : Wash Out

Standard "N" Penetration: Blows per foot of a 140 pound hammer falling 30 inches on a 2 inch OD split spoon, except where noted

WATER LEVEL MEASUREMENT SYMBOLS

WL : Water Level
WCI : Wet Cave In
DCI : Dry Cave In
WS : While Sampling
WD : While Drilling
BCR : Before Casing Removal
ACR : After Casing Removal
AB : After Boring

Water levels indicated on the boring logs are the levels measured in the boring at the times indicated. In pervious soils, the indicated elevations are considered reliable ground water levels. In impervious soils the accurate determination of ground water elevations is not possible in even several day's observation, and additional evidence on ground water elevations must be sought.

CLASSIFICATION

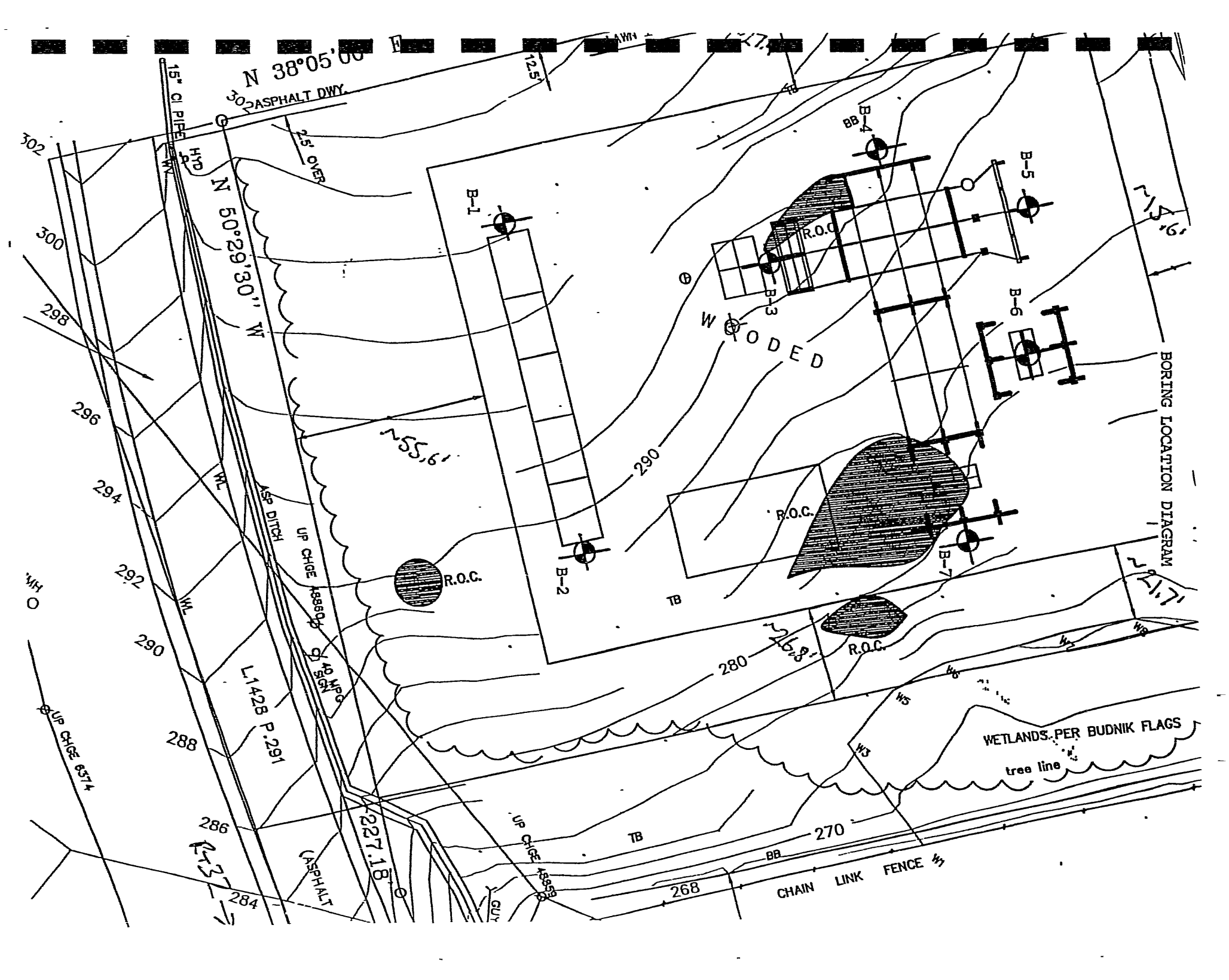
COHESIONLESS SOILS

"Trace"	: 1% to 10%	
"Trace to some"	: 10% to 20%	
"Some"	: 20% to 35%	
"And"	: 35% to 50%	
Loose	: 0 to 9 Blows	} or equivalent
Medium Dense	: 10 to 29 Blows	
Dense	: 30 to 59 Blows	
Very Dense	: ≥60 Blows	

COHESIVE SOILS

If clay content is sufficient so that clay dominates soil properties, then clay becomes the principle noun with the other major soil constituent as modifiers: i.e., silty clay. Other minor soil constituents may be added according to classification breakdown for cohesionless soils; i.e., silty clay, trace to some sand, trace gravel.

Soft	: 0.00 —0.59 tons/ft²
Medium	: 0.60 — 0.99 tons/ft²
Stiff	: 1.00 — 1.99 tons/ft²
Very Stiff	: 2.00 — 3.99 tons/ft²
Hard	: ≥ 4.00 tons/ft²


N 38°05'00" E
N 50°29'30" W
302
300
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296
294
292
290
288
286
284
15" CI PIPE
HYD
ASPHALT DWY.
2.5' OVER
12.5'
B-1
B-2
B-3
B-4
B-5
B-6
B-7
R.O.C.
WOODED
TB
BB
WL
ASP DITCH
UP CHGE 4885
UP CHGE 6374
40 MPG SIGN
L1428 P.291
227.18'
(ASPHALT
GUY
CHAIN LINK FENCE
WETLANDS PER BUDNIK FLAGS
tree line
BORING LOCATION DIAGRAM

BORING LOG

BORING NO: 1
SHEET 1 of 1

PROJECT NAME: CHGE Union Ave. Expansion
FILE NUMBER: 994
LOCATION: New Windsor, New York
OFFSET: None
DATE STARTED/COMPLETED: 2 Jan 03
SURFACE ELEV.: 298 +/- ft msl
ENGINEER/ARCHITECT:
DRILL CONTRACTOR: Soil & Material Testing Inc.
DRILLING METHOD: Hollow Stem Auger
DRILL RIG TYPE: ATV
HAMMER WEIGHT: 140 Lbs
DROP: 30 Inches
CASING DIAMETER: OD/ID: 3.25 ID
WATER LEVEL DEPTH: None Observed **TIME:** WS

Daniel G Loucks PE
PO Box 163
Ballston Spa, New York 12020
Phone: 518-371-7622
Fax: 518-383-2069

DEPTH	Sample Number	Sample Type	BLOW COUNTS per 6 Inches	"N" Value	Recovery	DESCRIPTION
1	1	SS	2-1-15	2		Topsoil
2						Silt and Fine Sand, some Gravel, Brown, Moist, Loose (ML-SM)
3	2	SS	10-11-13-27	24		
4						Fine to Medium Sand and Weathered Dolomite, Brown, Moist, Medium Dense (SM-GM)
5	3	SS	52-100	100+		Weathered Dolomite, some Sand, Brown, Dry, Very Dense (GM)
6						End of Boring at 5.0 Feet Split Spoon Refusal
7						
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26						
27						

BORING LOG

BORING NO: 2
SHEET 1 of 1

PROJECT NAME: CHGE Union Ave. Expansion
FILE NUMBER: 994
LOCATION: New Windsor, New York
OFFSET: None
DATE STARTED/COMPLETED: 2 Jan 03
SURFACE ELEV.: 289 +/- ft msl
ENGINEER/ARCHITECT:
DRILL CONTRACTOR: Soil & Material Testing Inc.
DRILLING METHOD: Hollow Stem Auger
DRILL RIG TYPE: ATV
HAMMER WEIGHT: 140 Lbs
DROP: 30 Inches
CASING DIAMETER: OD/ID: 3.25 ID
WATER LEVEL DEPTH: 6.2ft **TIME:** BCR

Daniel G Loucks PE
PO Box 163
Ballston Spa, New York 12020
Phone: 518-371-7622
Fax: 518-383-2069

DEPTH	Sample Number	Sample Type	BLOW COUNTS per 6 Inches	"N" Value	Recovery	DESCRIPTION
1	1	SS	2-2-2-3	4		Topsoil
2						Silt and Fine Sand, trace to some Gravel, Brown, Moist, Loose (ML-SM)
3	2	SS	6-8-8-16	16		
4	3	SS	30-70-100\.2	100+		Clayey Silt and Weathered Shale, trace to some Gravel, Gray, Moist, Medium Dense (ML-GM)
5						
6		PA				Weathered Shale, trace to some Sand, Silt and Weathered Dolomite, Light Gray, Moist, Very Dense
7						
8	4	DB				Driller Notes Highly Weathered Shale
9						
10						
11						Gray Dolomite with thin Shale seams, Vertical fractures RQD = 7 Percent
12						End of Boring at 12.0 Feet
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25						
26						
27						

BORING LOG

BORING NO: 3
SHEET 1 of 1

PROJECT NAME: CHGE Union Ave. Expansion
LOCATION: New Windsor, New York
DATE STARTED/COMPLETED: 2 Jan 03
ENGINEER/ARCHITECT:
DRILLING METHOD: Hollow Stem Auger
DRILL RIG TYPE: ATV
HAMMER WEIGHT: 140 Lbs
DROP: 30 Inches
CASING DIAMETER: OD/ID: 3.25 ID
WATER LEVEL DEPTH: None Observed **TIME:** WS

FILE NUMBER: 994
OFFSET: None
SURFACE ELEV.: 291 +/- ft msl
DRILL CONTRACTOR: Soil & Material Testing Inc.

Daniel G Loucks PE
PO Box 163
Ballston Spa, New York 12020
Phone: 518-371-7622
Fax: 518-383-2069

DEPTH	Sample Number	Sample Type	BLOW COUNTS per 6 Inches	"N" Value	Recovery	DESCRIPTION
1	1	SS	2-2-2-2	4		Silt, trace to some Fine Sand, trace Roots, Dark Brown, Moist, Loose (ML) Topsoil
3	2	SS	3-6-13-15	19		Fine to Medium Sand and Silt, trace to some Weathered Shale, Brown, Moist, Medium Dense (SM-ML)
5	3	SS	26-31-35-28	66		Weathered Shale, trace Silt and Sand, Gray, Moist, Very Dense (GM-GP)
7	4	SS	42-100	100+		End of Boring at 7.0 Feet Split Spoon Refusal

BORING LOG

BORING NO: 4
SHEET 1 of 1

PROJECT NAME: CHGE Union Ave. Expansion
FILE NUMBER: 994
LOCATION: New Windsor, New York
OFFSET: None
DATE STARTED/COMPLETED: 8 Jan 03
SURFACE ELEV.: 291 +/- ft msl
ENGINEER/ARCHITECT:
DRILL CONTRACTOR: Soil & Material Testing Inc.
DRILLING METHOD: Hollow Stem Auger
DRILL RIG TYPE: ATV
HAMMER WEIGHT: 140 Lbs
DROP: 30 Inches
CASING DIAMETER: OD/ID: 3.25 ID
WATER LEVEL DEPTH: 2.0 Ft **TIME:** WS & ACR

Daniel G Loucks PE
PO Box 163
Ballston Spa, New York 12020
Phone: 518-371-7622
Fax: 518-383-2069

DEPTH	Sample Number	Sample Type	BLOW COUNTS per 6 inches	"N" Value	Recovery	DESCRIPTION
1	1	SS	1-2-2-2	4		Topsoil
2						
3	2	SS	6-10-12-20	22		Fine to Medium Sand and Silt, trace to some Weathered Shale, Brown, Moist, Medium Dense (SM-ML)
4						
5	3	SS	30-100	100+		Fine to Coarse Sand, trace to some Silt and Weathered Shale and Dolostone, Brown, Moist to Wet, Medium Dense (SM)
6						
7						Weathered Shale, trace to some Silt, Gray, Moist, Very Dense (GM)
8						
9						End of Boring at 5.0 Feet
10						Split Spoon Refusal
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BORING LOG

BORING NO: 5
SHEET 1 of 1

PROJECT NAME: CHGE Union Ave. Expansion
FILE NUMBER: 994
LOCATION: New Windsor, New York
OFFSET: None
DATE STARTED/COMPLETED: 2 Jan 03
SURFACE ELEV.: 286 +/- ft msl
ENGINEER/ARCHITECT:
DRILL CONTRACTOR: Soil & Material Testing Inc.
DRILLING METHOD: Hollow Stem Auger
DRILL RIG TYPE: ATV
HAMMER WEIGHT: 140 Lbs
DROP: 30 Inches
CASING DIAMETER: OD/ID: 3.25 ID
WATER LEVEL DEPTH: 0.8 ft / Dry **TIME:** WS / BCR

Daniel G Loucks PE
PO Box 163
Ballston Spa, New York 12020
Phone: 518-371-7622
Fax: 518-383-2069

DEPTH	Sample Number	Sample Type	BLOW COUNTS per 6 inches	"N" Value	Recovery	DESCRIPTION
1	1	SS	1-3-2-2	5		Topsoil
2						Clayey Silt, some Sand, Trace Gravel, Brown, Moist to Wet, Loose (ML)
3	2	SS	7-9-10-17	19		
4						Fine to Medium Sand and Silt, trace Gravel, Brown/Gray, Moist, Medium Dense
5	3	SS	14-30-54-100	84		
6						Weathered Shale, some Silt, Gray, Moist, Very Dense (GM)
7						End of Boring at 6.0 Feet Split Spoon Refusal
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BORING LOG

BORING NO: 6
SHEET 1 of 1

PROJECT NAME: CHGE Union Ave. Expansion
FILE NUMBER: 994
LOCATION: New Windsor, New York
OFFSET: None
DATE STARTED/COMPLETED: 2 Jan 03
SURFACE ELEV.: 281 +/- ft msl
ENGINEER/ARCHITECT:
DRILL CONTRACTOR: Soil & Material Testing Inc.
DRILLING METHOD: Hollow Stem Auger
DRILL RIG TYPE: ATV
HAMMER WEIGHT: 140 Lbs
DROP: 30 Inches
CASING DIAMETER: OD/ID: 3.25 ID
WATER LEVEL DEPTH: 1.0 ft / 1.5 ft **TIME:** WS / BCR

Daniel G Loucks PE
PO Box 163
Ballston Spa, New York 12020
Phone: 518-371-7622
Fax: 518-383-2069

DEPTH	Sample Number	Sample Type	BLOW COUNTS per 6 inches	"N" Value	Recovery	DESCRIPTION
1	1	SS	1-3-3-5	6		Topsoil
2						Clayey Silt, trace to some Sand and Weathered Shale, Brown, Moist to Wet, Loose (ML)
3	2	SS	5-32-9-9	41		
4						Fine to Medium Sand and Clayey Silt, Trace Gravel and Weathered Shale, Brown, Moist, Dense (SM-ML)
5		PA				Driller Notes Cobble
6	3	SS	13-20-18-20	38		
7	4	SS	100	100+		Weathered Shale, some Silt, trace to some Weathered Dolostone, trace Sand, Gray, Moist, Dense (GM)
8						Weathered Shale, trace to some Silt, trace Weathered Dolostone, Gray, Moist, Very Dense (GM)
9						
10						End of Boring at 7.5 Feet
11						Split Spoon Refusal
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BORING LOG

BORING NO: 7
SHEET 1 of 1

PROJECT NAME: CHGE Union Ave. Expansion
LOCATION: New Windsor, New York
DATE STARTED/COMPLETED: 7 Jan 03
ENGINEER/ARCHITECT:
DRILLING METHOD: Hollow Stem Auger
DRILL RIG TYPE: ATV
HAMMER WEIGHT: 140 Lbs
DROP: 30 Inches
CASING DIAMETER: OD/ID: 3.25 ID
WATER LEVEL DEPTH: 3.0 ft / 2.0 ft **TIME:** BCR / ACR

FILE NUMBER: 994
OFFSET: None
SURFACE ELEV.: 279 +/- ft msl
DRILL CONTRACTOR: Soil & Material Testing Inc.

Daniel G Loucks PE
PO Box 163
Ballston Spa, New York 12020
Phone: 518-371-7622
Fax: 518-383-2069

DEPTH	Sample Number	Sample Type	BLOW COUNTS per 6 inches	"N" Value	Recovery	DESCRIPTION
1	1	SS	2-3-5-5	8		Topsoil
2						Fine to Medium Sand and Silt, trace to some Gravel, Brown, Loose (SM-ML)
3	2	SS	6-11-7-7	18		
4						Fine to Coarse Sand and Clayey Silt, trace to some Gravel, Brown, Moist, Medium Dense (SM-ML)
5	3	SS	4-5-8-20	13		
6	4	SS	52-100\3	100+		
7		PA				Weathered Shale and Dolomite, trace to some Sand and Silt, Brown/Gray, Moist, Very Dense (GM)
8						
9	5	DB				Gray Dolomite with thin layers of Shale, Fractured with some vertical seams RQD = 12 Percent
10						
11						
12						End of Boring at 12.0 Feet
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CONSTRUCTION TECHNOLOGY

INSPECTION & TESTING DIVISION, P.D.& T.S., INC.
4 William Street, Ballston Lake, New York 12019
Phone: (518) 399-1848 Fax: (518) 399-1913

CLIENT: DANIEL LOUCKS, P.E.
POST OFFICE BOX 163
BALLSTON SPA, NEW YORK 12020
ATTN: MR. DANIEL LOUCKS, P.E.
PROJECT: CENTRAL HUDSON GAS & ELECTRIC

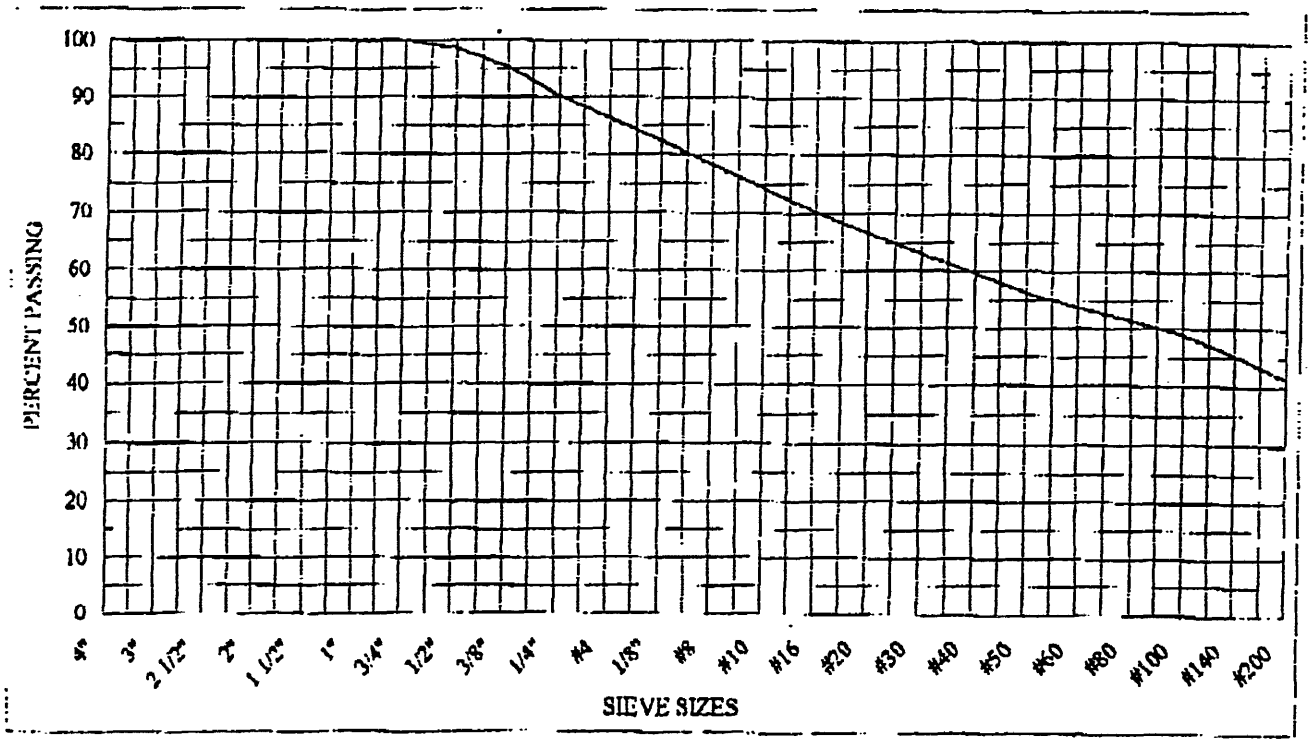
REPORT DATE: 01/10/03
SAMPLE NUMBER: 02-4170
OUR FILE NO: 750.001
REVIEWED BY: TOM JOSLIN, SET, NICET

ASTM C136 / C117 / D422: SIZE DISTRIBUTION OF SOIL & AGGREGATES: SIEVE ANALYSIS

MATERIAL SOURCE: CLIENT ID: B-5, S-2, 2'-4'
MATERIAL DESCRIPTION: SAND, medium; and Silt/Clay; trace fine Gravel
MATERIAL PROJECT USE: PER CLIENT
EVALUATION SPECIFICATION: PER CLIENT

COARSE SIEVE SERIES: US STANDARD				MEDIUM SIEVE SERIES: US STANDARD				FINE SIEVE SERIES: US STANDARD			
SIEVE SIZE	PERCENT RETAINED	PERCENT PASSING	SPECIFICATION ALLOWANCE	SIEVE SIZE	PERCENT RETAINED	PERCENT PASSING	SPECIFICATION ALLOWANCE	SIEVE SIZE	PERCENT RETAINED	PERCENT PASSING	SPECIFICATION ALLOWANCE
4"				1/4"	9.8	90.2		#50	43.7	56.3	
3"				#4	13.7	86.3		#60			
2 1/2"				1/8"				#80			
2"				#8	21.8	78.2		#100	51.1	48.9	
1 1/2"				#10				#140			
1"				#16	29.9	70.1		#200	58.5	41.5	
3/4"	0.0	100.0		#20				SILT			
1/2"	1.4	98.6		#30	36.9	63.1		CLAY			
3/8"	4.8	95.2		#40	40.3	59.7		COLLOID			

ASTM D-2216
MOISTURE CONTENT
14.0%



USGS
Earthquake Hazards Program - National Seismic Hazard Mapping Project

The input zip-code is 12550.

ZIP CODE	12550		
LOCATION	41.5099 Lat.	-74.0528 Long.	
DISTANCE TO NEAREST GRID POINT	4.0912 kms		
NEAREST GRID POINT	41.5 Lat.	-74.1 Long.	

Probabilistic ground motion values, in %g, at the Nearest Grid point are:

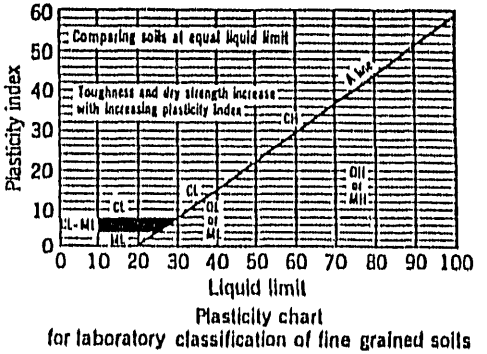
	10%PE in 50 yr	5%PE in 50 yr	2%PE in 50 yr
PGA	4.910085	8.690457	17.128510
0.2 sec SA	10.946630	17.975140	33.464390
0.3 sec SA	8.264770	13.656260	25.372181
1.0 sec SA	2.914062	5.001566	8.940535

The input zip-code is .
Zip code is zero and we go to the end and stop.

PROJECT INFO: Home Page
SEISMIC HAZARD: Hazard by Zip Code

Table 3.5 Unified Soil Classification

Field Identification Procedures (Excluding particles larger than 3 in. and basing fractions on estimated weights)						Group Symbols[a]	Typical Names	Information Required for Describing Soils	Laboratory Classification Criteria
Coarse-grained soils More than half of material is larger than No. 200 sieve size[b] (The No. 200 sieve size is about the smallest particle visible to naked eye)	Gravels More than half of coarse fraction is larger than No 4 sieve size (For visual classification, the ¼ in size may be used as equivalent to the No. 4 sieve size).	Clean gravels (little or no fines)	Wide range in grain size and substantial amounts of all intermediate particle sizes			*GW*	Well graded gravels, gravel-sand mixtures, little or no fines	Give typical name, indicate approximate percentages of sand and gravel, maximum size; angularity, surface condition, and hardness of the coarse grains; local or geologic name and other pertinent descriptive information; and symbols in parentheses For undisturbed soils add information on stratification, degree of compactness, cementation, moisture conditions and drainage characteristics Example: *Silty sand*, gravelly; about 20% hard, angular gravel particles ½-in. maximum size; rounded and subangular sand grains coarse to fine, about 15% nonplastic fines with low dry strength; well compacted and moist in place; alluvial sand; (*SM*)	Determine percentages of gravel and sand from grain size curve Depending on percentage of fines (fraction smaller than No. 200 sieve size) coarse grained soils are classified as follows: Less than 5% *GW, GP, SW, SP* More than 12% *GM, GC, SM, SC* 5% to 12% *Borderline* cases requiring use of dual symbols Use grain size curve in identifying the fractions as given under field identification	$C_U = \frac{D_{60}}{D_{10}}$ Greater than 4 $C_C = \frac{(D_{30})^2}{D_{10} \times D_{60}}$ Between 1 and 3
			Predominantly one size or a range of sizes with some intermediate sizes missing			*GP*	Poorly graded gravels, gravel-sand mixtures, little or no fines		Not meeting all gradation requirements for *GW*
		Gravels with fines (appreciable amount of fines)	Nonplastic fines (for identification procedures see *ML* below)			*GM*	Silty gravels, poorly graded gravel sand silt mixtures		Atterberg limits below "A" line, or *PI* less than 4 / Above "A" line with *PI* between 4 and 7 are *borderline* cases requiring use of dual symbols
			Plastic fines (for identification procedures, see *CL* below)			*GC*	Clayey gravels, poorly graded gravel sand-clay mixtures		Atterberg limits above "A" line, with *PI* greater than 7
	Sands More than half of coarse fraction is smaller than No. 4 sieve size	Clean sands (little or no fines)	Wide range in grain sizes and substantial amounts of all intermediate particle sizes			*SW*	Well graded sands, gravelly sands, little or no fines		$C_U = \frac{D_{60}}{D_{10}}$ Greater than 6 $C_C = \frac{(D_{30})^2}{D_{10} \times D_{60}}$ Between 1 and 3
			Predominantly one size or a range of sizes with some intermediate sizes missing			*SP*	Poorly graded sands, gravelly sands, little or no fines		Not meeting all gradation requirements for *SW*
		Sands with fines (appreciable amount of fines)	Nonplastic fines (for identification procedures, see *ML* below)			*SM*	Silty sands, poorly graded sand-silt mixtures		Atterberg limits below "A" line or *PI* less than 5 / Above "A" line with *PI* between 4 and 7 are *borderline* cases requiring use of dual symbols
			Plastic fines (for identification procedures, see *CL* below)			*SC*	Clayey sands, poorly graded sand-clay mixtures		Atterberg limits below "A" line with *PI* greater than 7
Fine-Grained soils More than half of material is smaller than No. 200 sieve size	Identification Procedures on Fraction Smaller than No. 40 Sieve Size		Dry Strength (crushing characteristics)	Dilatancy (reaction to shaking)	Toughness (consistency near plastic limit)				
	Silts and clays Liquid limit less than 50		None to slight	Quick to slow	None	*ML*	Inorganic silts and very fine sands, rock flour, silty or clayey fine sands with slight plasticity	Give typical name; indicate degree and character of plasticity, amount and maximum size of coarse grains; colour in wet condition, odour if any, local or geologic name, and other pertinent descriptive information, and symbol in parentheses For undisturbed soils add information on structure, stratification, consistency in undisturbed and remoulded states, moisture and drainage conditions Example: *Clayey silt*, brown; slightly plastic; small percentage of fine sand; numerous vertical root holes; firm and dry in place; loess; (*ML*)	
			Medium to high	None to very slow	Medium	*CL*	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays		
			Slight to medium	Slow	Slight	*OL*	Organic silts and organic silt-clays of low plasticity		
	Silts and clays Liquid limit greater than 50		Slight to medium	Slow to none	Slight to medium	*MH*	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts		
			High to very high	None	High	*CH*	Inorganic clays of high plasticity, fat clays		
			Medium to high	None to very slow	Slight to medium	*OH*	Organic clays of medium to high plasticity		
Highly Organic Soils			Readily identified by colour, odour, spongy feel and frequently by fibrous texture			*Pt*	Peat and other highly organic soils		



Plasticity chart for laboratory classification of fine grained soils

From Wagner, 1957.

[a] *Boundary classifications.* Soils possessing characteristics of two groups are designated by combinations of group symbols. For example *GW-GC*, well graded gravel-sand mixture with clay binder.

[b] All sieve sizes on this chart are U.S. standard.

Field Identification Procedure for Fine Grained Soils or Fractions

These procedures are to be performed on the minus No. 40 sieve size particles, approximately ¼₆ in. For field classification purposes, screening is not intended, simply remove by hand the coarse particles that interfere with the tests.

Dilatancy (Reaction to shaking):

After removing particles larger than No. 40 sieve size, prepare a pat of moist soil with a volume of about one-half cubic inch. Add enough water if necessary to make the soil soft but not sticky.

Place the pat in the open palm of one hand and shake horizontally, striking vigorously against the other hand several times. A positive reaction consists of the appearance of water on the surface of the pat which changes to a livery consistency and becomes glossy. When the sample is squeezed between the fingers, the water and gloss disappear from the surface, the pat stiffens and finally it cracks or crumbles. The rapidity of appearance of water during shaking and of its disappearance during squeezing assist in identifying the character of the fines in a soil.

Very fine clean sands give the quickest and most distinct reaction whereas a plastic clay has no reaction. Inorganic silts, such as a typical rock flour, show a moderately quick reaction.

Dry Strength (Crushing characteristics):

After removing particles larger than No. 40 sieve size, mould a pat of soil to the consistency of putty, adding water if necessary. Allow the pat to dry completely by oven, sun or air drying, and then test its strength by breaking and crumbling between the fingers. This strength is a measure of the character and quantity of the colloidal fraction contained in the soil. The dry strength increases with increasing plasticity.

High dry strength is characteristic for clays of the CH group. A typical inorganic silt possesses only very slight dry strength. Silty fine sands and silts have about the same slight dry strength, but can be distinguished by the feel when powdering the dried specimen. Fine sand feels gritty whereas a typical silt has the smooth feel of flour.

Toughness (Consistency near plastic limit):

After removing particles larger than the No. 40 sieve size, a specimen of soil about one-half inch cube in size, is moulded to the consistency of putty. If too dry, water must be added and if sticky, the specimen should be spread out in a thin layer and allowed to lose some moisture by evaporation. Then the specimen is rolled out by hand on a smooth surface or between the palms into a thread about one-eight inch in diameter. The thread is then folded and re-rolled repeatedly. During this manipulation the moisture content is gradually reduced and the specimen stiffens, finally loses its plasticity, and crumbles when the plastic limit is reached.

After the thread crumbles, the pieces should be lumped together and a slight kneading action continued until the lump crumbles.

The tougher the thread near the plastic limit and the stiffer the lump when it finally crumbles, the more potent is the colloidal clay fraction in the soil. Weakness of the thread at the plastic limit and quick loss of coherence of the lump below the plastic limit indicate either inorganic clay of low plasticity, or materials such as kaolin-type clays and organic clays which occur below the A-line.

Highly organic clays have a very weak and spongy feel at the plastic limit.

Soil Characteristics Pertinent to Roads and Airfields

Major Divisions		Letter (1)	Name	Value as Subgrade When Not Subject to Frost Action	Value as Subbase When Not Subject to Frost Action	Value as Base When Not Subject to Frost Action	Potential Frost Action	Compressibility and Expansion	Drainage Characteristics	Compaction Equipment	Unit Dry Weight - lb. per cu. ft.	Typical Design Values	
												CBR (2)	Subgrade Modulus k lb. per cu in.
COARSE-GRAINED SOILS	GRAVEL AND GRAVELLY SOILS	GW	Well graded gravels or gravel sand mixtures, little or no fines	Excellent	Excellent	Good	None to very slight	Almost none	Excellent	Crawler type tractor, rubber tired roller, steel wheeled roller	125-140	40-80	300-500
		GP	Poorly graded gravels or gravel-sand mixtures, little or no fines	Good to excellent	Good	Fair to good	None to very slight	Almost none	Excellent	Crawler type tractor, rubber tired roller, steel wheeled roller	110-140	30-60	300-500
		GM d	Silty gravels, gravel sand silt mixtures	Good to excellent	Good	Fair to good	Slight to medium	Very slight	Fair to poor	Rubber tired roller, sheepsfoot roller; close control of moisture	125-145	40-60	300-500
		GM u		Good	Fair	Poor to not suitable	Slight to medium	Slight	Poor to practically impervious	Rubber tired roller, sheepsfoot roller	115-135	20-30	200-500
		GC	Clayey gravels, gravel sand clay mixtures	Good	Fair	Poor to not suitable	Slight to medium	Slight	Poor to practically impervious	Rubber-tired roller, sheepsfoot roller	130-145	20-40	200-500
	SAND AND SANDY SOILS	SW	Well-graded sands or gravelly sands, little or no fines	Good	Fair to good	Poor	None to very slight	Almost none	Excellent	Crawler type tractor, rubber tired roller	110-130	20-40	200-400
		SP	Poorly graded sands or gravelly sands, little or no fines	Fair to good	Fair	Poor to not suitable	None to very slight	Almost none	Excellent	Crawler-type tractor, rubber tired roller	105-135	10-40	150-400
		SM d	Silty sands, sand silt mixtures	Fair to good	Fair to good	Poor	Slight to high	Very slight	Fair to poor	Rubber-tired roller, sheepsfoot roller; close control of moisture	120-135	15-40	150-400
		SM u		Fair	Poor to fair	Not suitable	Slight to high	Slight to medium	Poor to practically impervious	Rubber tired roller, sheepsfoot roller	100-130	10-20	100-300
		SC	Clayey sands, sand clay mixtures	Poor to fair	Poor	Not suitable	Slight to high	Slight to medium	Poor to practically impervious	Rubber tired roller, sheepsfoot roller	100-135	5-20	100-300
FINE-GRAINED SOILS	SILTS AND CLAYS L.L. IS LESS THAN 50	ML	Inorganic silts and very fine sands, rock flour, silty or clayey fine sands or clayey silts with slight plasticity	Poor to fair	Not suitable	Not suitable	Medium to very high	Slight to medium	Fair to poor	Rubber-tired roller, sheepsfoot roller; close control of moisture	90-130	15 or less	100-200
		CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays	Poor to fair	Not suitable	Not suitable	Medium to high	Medium	Practically impervious	Rubber-tired roller, sheepsfoot roller	90-130	15 or less	50-150
		OL	Organic silts and organic silt-clays of low plasticity	Poor	Not suitable	Not suitable	Medium to high	Medium to high	Poor	Rubber-tired roller, sheepsfoot roller	90-105	5 or less	50-100
	SILTS AND CLAYS L.L. IS GREATER THAN 50	MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts	Poor	Not suitable	Not suitable	Medium to very high	High	Fair to poor	Sheepsfoot roller, rubber-tired roller	80-105	10 or less	50-100
		CH	Inorganic clays of medium to high plasticity, organic silts	Poor to fair	Not suitable	Not suitable	Medium	High	Practically impervious	Sheepsfoot roller, rubber tired roller	90-115	15 or less	50-150
		OH	Organic clays of high plasticity, fat clays	Poor to very poor	Not suitable	Not suitable	Medium	High	Practically impervious	Sheepsfoot roller, rubber-tired roller	80-110	5 or less	25-100
HIGHLY ORGANIC SOILS		Pt	Peat and other highly organic soils	Not suitable	Not suitable	Not suitable	Slight	Very high	Fair to poor	Compaction not practical	—	—	—

Notes:

(1) Unit Dry Weights are for compacted soil at optimum moisture content for modified AASHO compaction effort. Division of GM and SM groups into subdivision of d and u are for roads and airfields only. Subdivision is basis of Atterberg limits; suffix d (e.g., GMd) will be used when the liquid limit (L.L.) is 25 or less and the plasticity index is 6 or less; the suffix u will be used otherwise.

(2) The maximum value that can be used in design of airfields is, in some cases, limited by gradation and plasticity requirements.

GENERAL QUALIFICATIONS

This report has been prepared in order to aid in the evaluation of this property and to assist the architect and/or engineer in the design of this project. The scope of the project and location described herein, and my description of the project represents my understanding of the significant aspects relevant to soil and foundation characteristics. In the event that any changes in the design or location of the proposed facilities, as outlined in this report, are planned, I should be informed so the changes can be reviewed and the conclusions of this report modified or approved in writing by myself.

It is recommended that all construction operations dealing with earthwork and foundations be inspected by an experienced soil engineer to assure that the design requirements are fulfilled in the actual construction. If you wish, I would welcome the opportunity to review the plans and specifications when they have been prepared so that I may have the opportunity of commenting on the effect of soil conditions on the design and specifications.

The analysis and recommendations submitted in this report are based upon the data obtained from the soil borings and/or test pits performed at the locations indicated on the location diagram and from any other information discussed in the report. This report does not reflect any variations which may occur between these boring and/or test pits. In the performance of subsurface investigations, specific information is obtained at specific locations at specific times. However, it is a well-known fact that variations in soil and rock conditions exist on most sites between boring locations and also such situations as groundwater conditions vary from time to time. The nature and extent of variations may may not become evident until the course of construction. If variations then appear evident, it will be necessary for a reevaluation of the recommendations of this report after performing on-site observations during the construction period and noting the characteristics of any variations.

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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WRITER'S E-MAIL ADDRESS:
MJE@MHEPC.COM

MEMORANDUM
(via fax)
21 July 2005

TO: **MICHAEL BABCOCK, TOWN BUILDING INSPECTOR**

FROM: **MARK J. EDSALL, P.E., ENGINEER FOR THE PLANNING BOARD**

SUBJECT: **SITE COMPLETION REVIEW – 21 July 2005 (CNH)**
CENTRAL HUDSON GAS & ELECTRIC SITE PLAN (UNION AVE.)
NEW WINDSOR P.B. APP. NO. 03-12

On this date, a representative of our office visited the subject site to review the completion status of the subject application.

The site appears to be in general conformance with the site plan approved by the planning board, with stamp of approval of Sept 23, 2004.

If you have any further questions prior to your department's issuance of a C of C, please do not hesitate to contact me.

NW03-12-Site Compl Memo 07-21-05.doc
MJE/st

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/30/2004 PAGE: 1

LISTING OF PLANNING BOARD **FEES**
4% FEE

FOR PROJECT NUMBER: 3-12
NAME: CENTRAL HUDSON SUBSTATION - PA2002-1104
APPLICANT: CENTRAL HUDSON GAS & ELECTRIC CORP.

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/02/2004	2% OF 106,648.	CHG	2133.00		
09/22/2004	REC. CK. #728327	PAID		2133.00	
		TOTAL:	2133.00	2133.00	0.00

10/4/04

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#1012-2004

10/04/2004

CH Energy Group, Inc

Received $ 125.00 for Planning Board Fees, on 10/04/2004. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PB# 03-12 approval See

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/30/2004 PAGE: 1

LISTING OF PLANNING BOARD**ACTIONS**

STAGE: STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 3-12
NAME: CENTRAL HUDSON SUBSTATION - PA2002-1104
APPLICANT: CENTRAL HUDSON GAS & ELECTRIC CORP.

--DATE--	MEETING-PURPOSE	ACTION-TAKEN
09/23/2004	PLANS STAMPED	APPROVED
04/28/2004	P.B. APPEARANCE -PUB HEARING	CLOSED PH - APPR CON . NEED RESUBMIT TO OCDPW AND THEIR RESPONSE - ADD NOTE TO PLAN . FOR ADDITIONAL LANDSCAPING AND CLEAN UP EXISTING SUBSTATION . - MARKS COMMENTS
03/24/2004	P.B. APPEARANCE	SCHED PH . NEED REVISED EAF FROM ZBA FILE - SEND TO OCDPW FOR REVIEW - . SCHEDULE PH
06/11/2003	P.B. APPEARANCE	REFER TO ZBA . NEED INTERPRETATION AND/OR VARIANCE
05/21/2003	WORK SHOP APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/30/2004 PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 3-12
NAME: CENTRAL HUDSON SUBSTATION - PA2002-1104
APPLICANT: CENTRAL HUDSON GAS & ELECTRIC CORP.

	DATE-SENT	AGENCY----------	DATE-RECD	RESPONSE----------
ORIG	06/06/2003	MUNICIPAL HIGHWAY	06/11/2003	NEEDS COUNTY
ORIG	06/06/2003	MUNICIPAL WATER	/ /	
ORIG	06/06/2003	MUNICIPAL SEWER	/ /	
ORIG	06/06/2003	MUNICIPAL FIRE	06/09/2003	APPROVED
ORIG	06/06/2003	NYSDOT	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/30/2004 PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 3-12
NAME: CENTRAL HUDSON SUBSTATION - PA2002-1104
APPLICANT: CENTRAL HUDSON GAS & ELECTRIC CORP.

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/02/2004	SITE PLAN APPROVAL FEE	CHG	125.00		
09/22/2004	REC. CK. #728329	PAID		125.00	
		TOTAL:	125.00	125.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/30/2004 PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 3-12
NAME: CENTRAL HUDSON SUBSTATION - PA2002-1104
APPLICANT: CENTRAL HUDSON GAS & ELECTRIC CORP.

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/06/2003	REC. CK. #701261	PAID		750.00	
06/11/2003	P.B. ATTY. FEE	CHG	35.00		
06/11/2003	P.B. MINUTES	CHG	40.50		
03/24/2004	P.B. ATTY. FEE	CHG	35.00		
03/24/2004	P.B. MINUTES	CHG	93.50		
04/28/2004	P.B. ATTY. FEE	CHG	35.00		
04/28/2004	P.B. MINUTES	CHG	71.50		
09/02/2004	P.B. ENGINEER FEE	CHG	626.40		
09/22/2004	REC. CK. #728666	PAID		186.90	
		TOTAL:	936.90	936.90	0.00

Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE PLANNING BOARD

September 10, 2004

Central Hudson Gas & Electric
284 South Avenue
Poughkeepsie, NY 12601

ATTN: BOB THOMAS

SUBJECT: SUB-STATION - UNION AVENUE P.B. #03-12

Dear Mr. Thomas:

Please find attached printouts of fees due for subject project.

Please submit payment in separate checks, payable to the Town of New Windsor, as follows:

Check #1 – Approval Fee.....	$	125.00
Check #2 – Amount over Escrow posted.....	$	~~626.40~~ 186.90
Check #3 – 2% of Cost Estimate ($106,648.) Inspect. Fee	$	2,133.00

Upon receipt of these checks and ten (10) sets of plans for stamping, I will have them stamped and signed approved.

If you have any questions in this regard, please contact my office.

Very truly yours,

_____

Myra L. Mason, Secretary To The
NEW WINDSOR PLANNING BOARD

MLM

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/07/2004 PAGE: 1

LISTING OF PLANNING BOARD **FEES**
4% FEE

FOR PROJECT NUMBER: 3-12
NAME: CENTRAL HUDSON SUBSTATION - PA2002-1104
APPLICANT: CENTRAL HUDSON GAS & ELECTRIC CORP.

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/02/2004	2% OF 106,648.	CHG	2133.00		
		TOTAL:	2133.00	0.00	2133.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/07/2004 PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 3-12
NAME: CENTRAL HUDSON SUBSTATION - PA2002-1104
APPLICANT: CENTRAL HUDSON GAS & ELECTRIC CORP.

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/06/2003	REC. CK. #701261	PAID		750.00	
06/11/2003	P.B. ATTY. FEE	CHG	35.00		
06/11/2003	P.B. MINUTES	CHG	40.50		
03/24/2004	P.B. ATTY. FEE	CHG	35.00		
03/24/2004	P.B. MINUTES	CHG	93.50		
04/28/2004	P.B. ATTY. FEE	CHG	35.00		
04/28/2004	P.B. MINUTES	CHG	71.50		
09/02/2004	P.B. ENGINEER FEE	CHG	626.40		
		TOTAL:	936.90	750.00	186.90

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/07/2004 PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 3-12
NAME: CENTRAL HUDSON SUBSTATION - PA2002-1104
APPLICANT: CENTRAL HUDSON GAS & ELECTRIC CORP.

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/02/2004	SITE PLAN APPROVAL FEE	CHG	125.00		
		TOTAL:	125.00	0.00	125.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/22/2004 PAGE: 1

LISTING OF PLANNING BOARD **FEES**
4% FEE

FOR PROJECT NUMBER: 3-12
NAME: CENTRAL HUDSON SUBSTATION - PA2002-1104
APPLICANT: CENTRAL HUDSON GAS & ELECTRIC CORP.

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
09/02/2004	2% OF 106,648.	CHG	2133.00		
09/22/2004	REC. CK. #728327	PAID		2133.00	
		TOTAL:	2133.00	2133.00	0.00

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
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JAMES M. FARR, P.E. (NY & PA)

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E-MAIL: MHENY@MHEPC.COM

WRITER'S E-MAIL ADDRESS:
MJE@MHEPC.COM

MEMORANDUM
(via fax)
2 September 2004

TO: MYRA MASON, PLANNING BOARD SECRETARY

FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER

SUBJECT: CENTRAL HUDSON SITE PLAN
PLANNING BOARD APPLICATION NO. 03-12

Our office has reviewed the cost estimates submitted for the subject application. The project includes private site improvements.

Based on our review, some corrections were necessary on the private estimate.

Based on our review, we recommend that the Private site improvement estimate be established at $106,643. The inspection fee associated with this bond amount is $2133.

Our time printout for the project is attached.

Contact me if you have any questions regarding the above.

NW03-12-Closeout Memo 09-02-04
MJE/st

AS OF: 09/02/2004 PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-55
NEW WINDSOR PLANNING BOARD (Chargeable to Applicant) CLIENT: NEWWIN - TOWN OF NEW WINDSOR
TASK: 3- 12
FOR WORK DONE PRIOR TO: 09/02/2004

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION---------	RATE	HRS.	DOLLARS TIME	EXP.	BILLED	BALANCE
3-12	212972	05/21/03	TIME	MJE	WS	CENTRAL HUD SP UNION	95.00	0.40	38.00			
3-12	214692	06/10/03	TIME	MJE	MC	CHGE	95.00	0.70	66.50			
3-12	214659	06/11/03	TIME	MJE	MM	CHGE Disapp > ZBA	95.00	0.10	9.50			
3-12	217468	07/16/03	TIME	MJE	MC	CHGE ZBA REFERRAL	95.00	0.60	57.00			
									171.00			
3-12	217586	07/23/03				BILL 03-899					-114.00	
3-12	220263	08/26/03				BILL 03-1021					-57.00	
											-171.00	
3-12	241368	03/17/04	TIME	MJE	WS	CHGE S/P	99.00	0.40	39.60			
3-12	242983	03/24/04	TIME	MJE	MC	CHGE SITE PLAN	99.00	0.60	59.40			
3-12	243012	03/26/04	TIME	MJE	MC	CHGE REF OCDPW	99.00	0.50	49.50			
3-12	247084	04/27/04	TIME	MJE	MC	CHGE S/P	99.00	0.70	69.30			
									217.80			
3-12	246400	04/28/04				BILL 04-459					-148.50	
3-12	255376	06/30/04				BILL 04-687					-69.30	
											-217.80	
3-12	259335	07/20/04	TIME	MJE	MC	CHGE TC/REP	99.00	0.30	29.70			
3-12	264315	09/01/04	TIME	MJE	MC	Rev w/BM	99.00	0.20	19.80			
3-12	264323	09/01/04	TIME	BMM	MC	Cost est rev	99.00	1.50	148.50			
3-12	264319	09/07/04	TIME	MJE	MC	CHGE Closeout	99.00	0.40	39.60			
						TASK TOTAL			626.40	0.00	-388.80	237.60
						GRAND TOTAL			626.40	0.00	-388.80	237.60

Installation Estimate #1

Location: *Union Avenue Substation (new Site)* Town of New Windsor

Sheet 1 of 1

Date: 02/14/02
Revised: 08/09/04
Proj. No.: 02-686

Prepared By: VandenBroek
Budget No.: 1-1312-13-02
County Code: O
Tax Dist. No.: 35

Qty	Unit	Description of Assembly	UNIT COST Material	LABOR MH/unit	LABOR $/MH	Total MHs	TOTAL COST Material	TOTAL COST Labor
Contracted Services:								
		Site Work & Fencing includes					10,000	
450	Feet	Retaining Walls	40,000				40,000	
1,700	Sq.Ft.	Asphalt driveway & Entrance	6,000				6,000	
810	Feet	Fencing	7,000	3 hrs			7,000	
81	Feet	Elevated Walkway	20,000	= 250/l.f			20,000	
34	Trees	Landscaping & Seeding	~~12,000~~	5000			~~12,000~~	5000
		241' gabion walls @ 28 →					6748	
		Contracted Services Subtotal:					85,000	
		SESC					5000	
		66' 15" CPE @ 30					1980	
		123 14x23 RCP @ 40					4920	
		220' ret wall - conc.						
		241' gab wall					106,648	
		entrance by others? - not in Qty			conc wall is approx 2200 sf @ $15/sf = 33k			
		construction entrance cost?			footing is approx 1100 sf @ $18/sf = 20k			
		Geot silt fence?						
		riprap?						
		check dams?						
		RCP/HDPE/CPE costs?			using smaller section 'B'			
		grading/excavation/blasting?						
		240 cy stone?						
		Grand Total					85,000	
		Approximate					**85,000**	

22 = 2137

53k just for conc wall

This estimate shows material cost as requested for by the Town of New Windsor.

Wouldn't chazen have supplied an engineering estimate to CAGE?

(B) P.B. # 0312

CENTRAL HUDSON GAS & ELECTRIC 03-12

Lois Phillips, Esq., Mr. Chris Lapine and Mr. Huynh Nguyen appeared before the board for this proposal.

MR. PETRO: Proposed expansion of the existing substation. Application proposes development of a second power distribution substation adjacent to the existing station on the north side of Union Avenue hill. This application was previously reviewed at the 11 June, 2003 planning board meeting. I think we referred you to the New Windsor Zoning Board cause it was in an R-4 zone. Board should discuss the outcome. I happen to know that it went through and it was not a problem and you have your necessary variances on this plan that you received. This applicant has indicated they have been in contact with the Orange County Department of Public Works regarding access to Union Avenue. Let me ask you something. Originally, you told us that you are going to use the same curb cut and you were going to expand up the hill about 30 percent, why are you going to the Orange County Department of Public Works?

MR. LAPINE: The proposed entrance is located on a County route, the existing topo of the site doesn't allow for that.

MR. PETRO: You're going to try to get another entranceway on that, is this a separate tax parcel?

MR. LAPINE: No, this is all one tax parcel.

MS. PHILLIPS: If I could, my name is Lois Phillips, attorney with Hiscock & Barclay in Albany. I represent Central Hudson in this matter. I believe last time we were before this board was in June, 2003 and the board requested that we go to the Zoning Board of Appeals. In that process, we have made modifications or amendments to the proposal.

MR. PETRO: I never saw this plan.

MS. PHILLIPS: What we're doing is the current improvements or I should say the current substation improvements are here on the plan so we're expanding this substation and altering it and adding additional services onto the left of it. All of this property is one tax parcel consisting of 6.89 acres and as Mr. Lapine was explaining, there's an entranceway into the existing area because of the topo this is a connection between the two portions of the site there has to be another entranceway here.

MR. PETRO: Let me stop you for a minute. The way I looked at this and we referred you to the zoning board was A, you were going to use the one entrance that was existing and B, you were expanding this substation only slightly over to where you're connecting thing is there, you were just going to expand it a little bit. Now you've got one basically the same size as the existing substation, it looks like it's on a separate parcel, even though it's not. Number 2, how are you going to get another curb cut there, especially on that part of the hill on the same parcel is beyond me. You're going to surprise me if you get that. I can't believe it but I want to see that.

MS. PHILLIPS: The consideration here is the fact that even Central Hudson is an electric corporation and it a public utility and as such, it's been operating here and providing electric power within the Town of New Windsor since 1905 pursuant to its franchise. Now, with a franchise comes certain responsibilities and obligations, under the New York State law, as the franchise holder, Central Hudson has an absolute obligation to provide adequate and safe power. In order to moderate or to balance the interest here between the municipalities and the obligations for this public need, the law recognizes that the localities can

reasonably regulate but they cannot interfere or actually prohibit or impede the service improvements in order to provide adequate capacity. In this particular case when we go before the Department of Transportation, the same thing will apply with the Department of Transportation review and as long as we meet the sight distance requirements together with the other requirements I'll let Chris explain them, the Department of Transportation will grant a curb cut for this location.

MR. PETRO: They may or may not. I hear what you're saying. I don't want to be rude by any stretch of the imagination and you're kind of telling me that we have to go along with this and Mr. Burger called me up and read me the riot act and we weren't opposed to doing it but it does annoy me to a point that we're looking at a plan that has nothing to do with the original plan that we referred with the positive recommendation to the zoning board in the Town of New Windsor. I don't appreciate it, I don't like it and I don't understand why you would come in with something so different when we looked at it. I understand that you say you need it, this is what you're going to have to have whether or not you get the curb cut use, the same language you can't stop us cause we're Central Hudson, the whole bit that you just told me I don't know what to do, first of all, I'm not taking any action tonight under any circumstances, you can make your presentation, you're in an R-4 zone, residential zone, you have a house immediately to your west, immediately going up that hill and you've got a lot there in the wrong spot. I can tell you that.

MR. LAPINE: If I may, do you happen to have a plan that we submitted in June here this evening because the plans submitted in June are not as drastically different as what's shown here, what we're showing here is actually connection between the two but the alteration has always been shown in this adjoining deed

parcel.

MR. PETRO: I know it was there, it was an augmentation of the existing substation, this is another substation as far as I'm concerned. You're saying you're expanding it, to me, you're doubling it and somewhere I get 30 percent, I don't know if it's from this gentleman, somebody had told me that it was going to be 30 percent larger than what it is now. If that's not a hundred percent larger, I don't know what is.

MR. LANDER: Can I ask what the variances were?

MS. PHILLIPS: That's what I was going to address. What this board requested is that we go back to the Zoning Board of Appeals for either an interpretation or a variance. Now, under your code, there's a provision that recognizes that public utilities are essential services and that Section 48-37 we discussed with the zoning board several different things, first proposal or first question was as an essential service where it's necessary for us to alter or make changes to an electric transmission line, including substation facilities, we will provide adequate in order to provide adequate service for public safety, did we fit within the exemption under the pre-existing non-conforming use provisions that would limit the amount of expansion on this site for alteration. The second thing was if in fact we did not fit within that exemption clause, did we, how did we then calculate what the degree of expansion was because what we propose here is a ground floor area which is 880 square feet, that's it. So how do you calculate that? We were before the zoning board several times. We presented the proposal showing the entire area, also showing the connection between the two portions of the substation and what the zoning board determined through its interpretation that was pursuant to Section 48-2 B 4 of the code, first of all, Central Hudson is a public utility and it's an essential service, then it went on

to say that pursuant to Section 48-2, 3, 4 of the Town of New Windsor Code, the proposed alteration of the existing Union Avenue substation is exempt from the restrictions provided in code Section 48-24 B 3 as major structure or alterations of a non-conforming use that are necessary in the interest of public safety. And the reason we got to public safety is the fact that in order to meet public safety, you have to have adequate capacity for electric power in order to meet the demand within the area. Without that as we all saw recently within the last six months when we had the power outage last summer, you can't operate essential services, you can't operate your well systems, you can't operate hospitals, power you have an interruption of power for other safety things, police, lights at the traffic at the intersections, all of those things become a problem. In that case since we're exempt from the restrictions that would limit the percentage of expansion of a prior non-conforming use, it was the zoning board's determination it was unnecessary for a variance and a variance was not required so here we have an exemption that says that proposed alterations as we're presenting them is not subject to that 30 percent limitation that I think you recall from your meeting in June.

MR. LANDER: So you didn't need a variance?

MS. PHILLIPS: That's correct.

MR. LANDER: We just went to the zoning board for interpretation?

MS. PHILLIPS: And/or a variance, if in fact as an alternative if they determined that we were not exempt then a variance would be required. So both issues were before the board, both issues were fully presented and considered by the board.

MR. SCHLESINGER: The 30 percent figure that you're

using is related to what 30 percent increasing area space, 30 percent increase in power?

MR. EDSALL: Thirty percent increase in ground floor area in the code.

MR. SCHLESINGER: And the access to the driveway, Jimmy, is not is determined by the DOT?

MR. PETRO: County.

MR. SCHLESINGER: And I'm sure that they would take safety into consideration as much as Central Hudson would take safety into consideration.

MR. PETRO: She's saying that they've got the power to do what they want with them because everything she just said so they may, to me, what's the sight distance here either way on that curve of the worst hill in the county?

MR. LAPINE: With some clearing within the county right-of-way we'd meet or exceed 500 feet.

MR. PETRO: There's no doubt in my mind that everything you said is absolutely true as far as need, it's essential, there's no, that's not the problem. Again, I said earlier I talked to Steve for at least a half hour on the phone why you have to have it, you're running out of power, he gave us his story that, you know, by next summer you can't turn on another light bulb and the whole bit. The location of this is horrible, you don't live around here, do you?

MS. PHILLIPS: I know the location.

MR. PETRO: It's all residential, you have condos immediately going up across the street and you have houses, it's just not a very good location for this but you're already there and you want to expand in that

site.

MS. PHILLIPS: Well, also as a transmission facility we have restrictions that would limit us from going to just any other site within the Town. Our existing transmissions lines come right in this area. If we were to relocate those transmission lines, we would have to interfere with significantly more parcels throughout the Town.

MR. PETRO: The point I'm trying to make also is that if you were someplace else, you would have been gone, long gone out of here. We're not against Central Hudson adding onto their substation, just that the location I felt where it is centrally located and been on this horrible hill, I mean there's no worse hill, this is the worst hill there is in the town, county and it's just a bad spot. Some eventually, we had discussed, well, it wasn't going to be that much of an addition, I don't know, again, I keep coming up with this 30 percent, so we were willing to go along with it a little bit more. I have talked to the Supervisor, when I first mentioned this to the Supervisor, he said what, are you kidding, close it up, then we discussed it again then with Mr. Burger did a presentation, he made a nice presentation, I just don't know about the size of this and, you know, you are in fact doubling the size, you think, I mean certainly the footprint is equal to the other footprint.

MS. PHILLIPS: I think the--

MR. PETRO: Or you have the capacity to double at some point, you're not going to make it smaller than you ever need, so it is going to be bigger, right?

MS. PHILLIPS: I think maybe it would be helpful to answer some of these questions if you understand some of the why we need this first of all but then also to understand the difference, you have a substation that's

been in place or at least began to be in this location in the 1950's and we all know that technology since 1950 has changed substantially, I think it would be helpful to know first of all what is the load here in this region, which is really what is the electric need and in order to meet that need or I should say because of that load how long is it that Central Hudson projects that it can function with just the existing facilities that are at the substation and then what is designed for the alteration so that you can project out to meet additional load or additional need here and then as part of that I think it would be helpful to understand that you're not looking at simply replicating the 1950 style substation.

MR. PETRO: I don't disagree with anything you're saying, I don't think our job is here to enhance Central Hudson's business but you're making sense and that's why we've gone this far. We understand you need it, you have to have it, but it's not, it doesn't mean that the board has to say gee, that's gonna look really nice there, I'm so glad you're putting that there, it's a perfect location, it's a nice spot, we're going to get a lot of phone calls thanking us. So we've got to look at every aspect and I'm at a complete loss, I don't know what to tell you, it's not too often, I've got to tell you.

MS. PHILLIPS: Well, I can give you some more information in the sense that because it's an alteration.

MR. PETRO: I agree with you, you're correct, you don't have to say a thing.

MS. PHILLIPS: Well, to speak to the issue of public comment, the zoning board held a public hearing, over 40 letters went out to adjacent property owners, we had no public comment at that public meeting, no one appeared. And I believe letters went out to the

neighbors across the street.

MR. PETRO: Then here's what we'll do. Normally, I would waive the public hearing. I'm not going to waive it, I'm going to have another public hearing which is probably a waste of time, let's hope that nobody shows again, if there's that much lack of interest in your substation then we'll move on. In the meantime, you can find out from DOT from the county what you have going there, I mean, I assume they're going to give it to you because of the riot act you read earlier.

MR. THOMAS: Bob Thomas. I've met with the county, the county has been out and has looked at this site. They have been on site, they know what the sight distance is from the top of the hill to the driveway and if I can just back up to the beginning you mentioned that you never saw or the board never saw the second driveway. I have a mini version of the plans that I submitted that it has always been there, so I don't want you to think that we're trying to sneak something by you.

MR. PETRO: The plan is a lot bigger than I remember but I do 110 applications a year, you're doing this one in front of me right now right tonight so it's hard for me to remember, all right. There was a driveway there, big deal, there's a driveway there, again, it's all a moot point because if anybody's saying it's going to come up and thank this board for putting it there other than Steve Burger and the stockholders of Central Hudson, I don't know who is going to do that, but that's not to say that it can't happen. I'm willing to go the next step forward, we'll have another public hearing, we'll see who shows up. I'm going to talk to the Supervisor, I'd like to see some screening, something done with that plan on that west side. I know there's a, that's a bad topo right there, you're not showing us anything. Do you have a plan?

MR. LAPINE: The existing topo is on SP1 and proposed

grading on SP3 and it's shown on the grading plan that the existing, the intent is to preserve the existing landscaping on the western portion with the exception of the entranceway.

MR. LANDER: Does anybody know from your property line to the house next door what the distance is? It's not on here because I know there's a house right along.

MR. EDSALL: I don't know that setbacks apply to overhead utility services.

MS. PHILLIPS: From the line back to the foundation or the pad for the control house which is 135 feet.

MR. SCHLESINGER: That's really--

MR. LAPINE: And your requirement is 100 feet.

MR. LANDER: Do we want to see a landscaping plan?

MR. PETRO: Yes.

MR. LANDER: They did put landscaping on the other to screen some of that.

MR. PETRO: Is there any lighting or drainage?

MR. ARGENIO: How about we have no power for lights?

MR. PETRO: That's why they're going to build it, they're going to put one flood light on the end.

MR. HGUYEN: We do have lighting but the lighting is in case we have emergency we have to turn it on because it's just a general lighting.

MR. LANDER: There's no lights, we don't care, we just don't want it shining into the residents next door so that I hope this new entrance is better than the one

down below.

MR. SCHLESINGER: Locked gate?

MR. LANDER: Yeah.

MR. LAPINE: Yes, there's a locked gate.

MS. PHILLIPS: Standard practice on a, also under new legislation in 2003, there are certain security measures that must be taken and security at substations this size is required.

MR. PETRO: How high is the retaining wall?

MR. LAPINE: Within the compound they range in size.

MR. PETRO: We're going to need a fence on the top of it.

MR. ARGENIO: It's 12 feet, Jim.

MR. LAPINE: Within the confines it ranges from approximately 12 feet to 12 feet, at some points it's as low as 6 feet.

MR. LANDER: Your fence is going to be on the outside of the wall?

MR. LAPINE: Yes.

MR. PETRO: How about the bottom?

MR. LAPINE: Gabion wall and the height on that will range from two feet to as much as eight feet.

MR. PETRO: It will look like the Alamo over there.

MR. LAPINE: At the southeast corner you'll have an elevation of 12 feet but it's just isolated to that one

area.

MR. PETRO: You can put shrubbery and dress it up on the landscaping plan.

MR. LAPINE: We can add some additional shrubbery there.

MR. ARGENIO: Why is the upper concrete on the lower gabion?

MR. LAPINE: Drainage. In terms of landscaping along the eastern portion there's existing landscaping that's going to be maintained to the east of this existing walkway conduit routing which would block the view of that. Is there a need for additional landscaping because this will be viewed?

MR. ARGENIO: That's wooded, is that right, it will be wooded when you're done?

MR. LAPINE: Here's the line here so--

MR. PETRO: I would suggest that you make a landscaping plan to give us some ammunition in case there's anybody here, when I show this plan to the Town Board and the Supervisor, I need to say something's gonna happen to make it look nice.

MR. LAPINE: You're saying additional landscaping?

MR. PETRO: Where is the landscaping plan now?

MR. LAPINE: What we have shown is that we're preserving the wood line on the outside of our compound.

MR. ARGENIO: Says new tree line.

MR. LAPINE: But if you look in front we're maintaining

this existing portion.

MR. PETRO: Keep in mind the building department is going to make you fence both of these walls.

MR. LAPINE: Which we're proposing.

MR. PETRO: You have an 8 or 12 foot wall and you have another five foot fence on the top of the walls, it's going to look huge, I'm driving up the road and look over, it's going to look like a prison camp.

MR. LAPINE: Here's a section of the driveway entrance before and after, look and here's the vegetation that we're showing that we're maintaining here, it's the same thing with the pretty much leaf off conditions.

MR. PETRO: That looks pretty good.

MS. PHILLIPS: The way the topo is there it slopes down away from the road, correct?

MR. LAPINE: Yeah, his concern was for the upper fence. It would be adequate just to kind of show a colored outline of the existing vegetation for your purposes?

MR. PETRO: Well, no, I guess that looks pretty good like that, I think you know if you can't see it, you can't see it, that's what I was going for. I didn't want to be driving up the road and see 12 feet on the bottom and 12 foot concrete wall on the top with a fence on the top. Mark, when you say begin the SEQRA process, do you mean take negative dec?

MR. EDSALL: Yeah, I don't know that you took lead agency on the application.

MS. PHILLIPS: We believe that or this is a Type 2 Action under SEQRA, it would be under 617.5 C 7 and 11.

MR. PETRO: What are we doing?

MR. EDSALL: Under SEQRA there's an action called Type 2 Action which we're exempt from SEQRA and she's been kind enough--

MR. PETRO: You're exempt from this?

MS. PHILLIPS: Yes.

MR. EDSALL: Pointing out two sections.

MR. PETRO: It doesn't matter, get together and find out about it, I don't want to do it now because first of all, we can't do it anyway until after the public hearing, so regardless if you're exempt or not, find out later, it's getting late.

MS. PHILLIPS: We did have a workshop meeting with Mark last week.

MR. LAPINE: Yes, as requested, Mark was pretty happy with the plan as shown.

MR. PETRO: So Mark on your bullets just tell me next time whether they're exempt or they're not.

MR. EDSALL: Okay.

MR. PETRO: We already know you're going to Orange County Department of Public Works.

MS. PHILLIPS: We did a revised EAF so I would ask that that be incorporated into the record for the site plan.

MR. PETRO: Motion for a public hearing.

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board schedule a public hearing for the Central Hudson site plan on Union Avenue. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: You can just get together with Myra for the scheduling of the public hearing.

MR. LAPINE: Does she have an application?

MR. PETRO: Call her and figure it out, she can certainly fax you something. You're up in Albany?

MR. LAPINE: No, I'm in Poughkeepsie.

MS. MASON: There is no application.

MR. PETRO: And what changes do they have to make to the plan if any, Mark, is there anything on the plan?

MR. EDSALL: No, obviously, you want the landscaping added, we'll look for that.

MR. LAPINE: We have talked about that, that you're satisfied with the existing landscaping.

MR. EDSALL: I'll get a copy to the DPW forthwith and I have no problem with those two sections of the Type II, I think they did apply so I'll include that in my comments.

MS. PHILLIPS: The other thing which was requested was to add the interpretations, the two interpretations from the ZBA, they have been added on this plan already.

MR. LAPINE: Plus at the workshop you indicated if we submit an extra set of the plans, you'd forward that to the town, county.

MR. EDSALL: Yes.

MR. PETRO: I'd like a response from DPW before the public hearing about your, it's not imperative, okay, if we get scheduled before for some some reason, we can still continue and just be a subject-to later on if you get that far. Okay?

MR. LAPINE: Thank you.

PUBLIC HEARINGS:

CENTRAL HUDSON GAS & ELECTRIC (03-12)

MR. PETRO: Central Hudson Gas and Electric on Union Avenue, proposed expansion of the existing substation. What we do normally folks we're going to review it as a board and at some time during that presentation I will open it up to the public for comment, then go back to the board after comments are heard. Someone here to represent this?

Lois Phillips, Esq., Mr. Chris Lapine with Chazen Company and Mr. Huynh N. Nguyen appeared before the board for this proposal.

MR. PETRO: Okay, go ahead.

MR. LAPINE: I'd like to go over some of the minor changes that we have made on the plan, since our last meeting we were asked to, fielded the questions of the Orange County DPW and adjust some landscaping modifications. At the last meeting, we have, since the last meeting, we have extended the entrance as requested, we have also eliminated the curb, modified the pavement detail which is on the county detail sheet, they have asked us to add a note to a couple of plans indicating county approval is required prior to the issuance of building permit and on the existing conditions plan which was not shown here but was included in the set that went to the Town, we were asked to show the two different ways to the north and the approximate distance to the third driveway. Regarding the landscaping modifications, at the last meeting, the board asked if we can visually present the landscaping which will remain our proposed landscaping area to be top soiled and seeded. What we have brought with us tonight is kind of like the forest green area and also put in this wetlands, it's the area that we're going to, which will remain as a result of our

construction. The bright green which surrounds the site is topsoil and seeded is going to be and the board's concern with the neighbor to the north, you asked if we can provide a screen, we have recommended 23 verbiniums which are approximately 9 feet in height when they're planted, mature height will be 12 to 15 feet and their width will be about ten feet. So what we'll have here essentially is a hedge across the property line. We have also took the board's concern with regards to some additional landscaping here at the top left corner of the parcel, we have added some plum trees to kind of soften the view to the proposed facility.

MR. PETRO: The retaining wall to the west, is that where it would be, yeah, what was the height of that, did you ever--

MR. LAPINE: That would vary in some locations from 11 feet up to approximately 4 feet.

MR. PETRO: Now, you don't have a separate fence on the top of that, you have your property fence or is there a separate fence?

MR. LAPINE: We have a fence along the top for safety measures.

MR. ARGENIO: It appears the upper wall is a concrete retaining wall and appears as though the lower wall to the east I guess that would be is a gabion wall, that's the one with the large stones and the chicken wire.

MR. LAPINE: And the purpose of that is to allow draining of the gravel.

MR. ARGENIO: I'm not questioning the wisdom, I'm just pointing it out.

MR. PETRO: Drain right onto your other facility?

MR. LAPINE: Pretty much it's following the natural topography as well.

MR. PETRO: You talked about a little bit ago are they still requiring other papers from you?

MR. LAPINE: We have resubmitted a set of plans which addressed their last comment.

MR. PETRO: Fire approval on June 6 of 2003. Okay, no other outstanding comments at this time what I'm going to do is open it up to the public, you can turn that around a little bit if you want. Is there anyone here? On the 5th day of April, 2004, notice of public hearing was mailed out. Someone is here who'd like to speak for or against or make comment on the application, be recognized by the Chair, come forward, state your name and address and your concerns.

MR. GUESSVENTNER: My name is Leo Guessventner (phonetic), my property is directly adjacent to their buffer property or what's going to be the new substation, I apologize I didn't come to the last Town Board meeting, but initial indications said that they'd only be increasing it like 25 or 30 percent at the time I thought well, Town of New Windsor needs it. After the board meeting, I also read in the paper that it was going to be doubled in size and I believe you, yourself, expressed a concern about that. I had an opportunity to, very hectic, but I got an opportunity to get to the Town Board and take a look at the drawings and yes indeed it looks like it's increasing a hundred percent over the original size. One of the things that I did notice is they've got a 26 foot difference between where the retaining wall is and the property line, I talked with Bob Thomas at Central Hudson today briefly, he's been trying to get ahold of me but been leaving cards at the wrong door, it's a two-family house and he was leaving at the back, some

of the concerns that I had was one, of course the view. One of the things that Mr. Thomas said to me is that, you know, it's not going to be level with your property, however, even this evening before I came here I looked at the height of the substation that's there, the new substation is going to be raised up but not level with my property but still the height of that is going to be well exceeding, very high, the current substation where the insulators are reach the top of my roof. If they're going to be going up higher, I'm surprised Mr. Angelli (phonetic) is not here because he does cherish his view greatly. Another concern I had was they talked about the landscaping that's going around, one of the things that I have noticed is they show the before view and that's from Union Avenue, no dig on Central Hudson, but your electric and everything else but you guys aren't the greatest for maintaining the landscape once you put it around, not just here somewhere else. I don't know if they've gone through due diligence to look for another location, I'm sure this is the cheaper way to go, they already own the property. The other concern that I had was that just the value of my property is definitely going to decrease with this right there, 26 feet I still got the driveway and I looked across, I saw where the markers were, I walked where the embankment wall or whatever you're going to call it is and it's like right there, I know 26 feet sounds like a lot when you stand there and you can see it, it's not that far at all.

MR. PETRO: Let me interrupt you, do you have a landscaping plan, the sheet to show him what you're going to do there because what that was one of our concerns we brought up at a prior meeting was the screening between your property and the new facility so if you can go over that one more time maybe he didn't see that.

MR. LAPINE: What we're proposing along the property line is a planting of 23 verbiniums and their height

would be 9 feet when planted they grow to 12 or 15 feet and approximately ten foot in diameter so what you're going to have along your property line is a hedge that will be 12 to 15 feet high.

MR. GUESSVENTNER: I understood that from the drawing that I looked at, can I ask how tall you expect your substation to be with the towers and the antennas and everything else?

MR. HGUYEN: The substation tower would be 40 feet high.

MR. GUESSVENTNER: That leaves a difference of?

MR. HGUYEN: The difference between your driveway and the highest point of the structure will be 31 feet.

MR. GUESSVENTNER: So I'm still going to be seeing?

MR. HGUYEN: With the new design of the structure you'll just see normal pole, not really you see the whole station like you see now.

MR. GUESSVENTNER: Well, my house is a two-family house, you've got the lower level which is level with the driveway, the main level, the upstairs is probably 10 to 12 feet high, so my floor looking at my window that's directly what I'm going to see, I mean, I know I'm probably the only one that matters for that because that's what I'm going to see right there.

MR. PETRO: Let me address that. It's hard to accommodate everybody in all matters and that was our concern from the start that this facility which really doesn't fit into our zoning is in the spot where it is residential so they were sent from here, they were denied here and sent to the New Windsor Zoning Board for a variance. They received that variance which basically says they felt it was okay to put this

facility in that area, as long as they met the requirements of the planning board which would then be setbacks and screening and drainage and everything else that we do. So I'm kind of like at a tough place here, I mean, we have one board saying that in best interest for everybody because Central Hudson does need the facility so we're trying to lay everything out. Did they look for other properties? I'm sure they have but this is probably the best deal and it's centrally located for them, not like we're taking it lightly, they have been here for about a year.

MR. GUESSVENTNER: I understand and I know you yourself have voiced great concerns.

MR. PETRO: I'm not a, don't know if proponent is the right word of the whole project, but I'm trying to be reasonable for all concerned. They have the variance, I think they've done a pretty good job at this landscaping plan, the curb cut's going to be issued by the county which we have no control over and we have to weigh it all in so it's hard to say well, you can't put it there because we don't want to look at rooftops, we look at rooftop units all the time.

MR. GUESSVENTNER: That would be my biggest concern is the depreciation of the value of the property.

MR. PETRO: That's a good point, I don't know exactly, you know, I can't give you a dollars or cents what I think is going to be the outcome of it. I mean, I don't know if I'd want to buy a house next to a substation, probably not, but that's my own opinion, somebody else may say I just don't care and it's a beautiful spot.

MR. GUESSVENTNER: That was one of the things which when I first bought the house because they had the buffer property between the substation and the house, you know, they've got the buffer property there. I'm

familiar with how a lot of large corporations work, they do buy the buffer property, usually they don't touch it, the corporation I worked for did the same thing just to keep the neighborhood happy, keep the residents a distance from whatever it was that we were doing.

MR. PETRO: And 30 percent thing that you brought up in enlargement some of that was my mistake, actually I think Central Hudson had never really said it was going to be larger by 30 percent, that was probably the law says you can enlarge a non-conforming use by 30 percent. I mentioned it a number of times and they went to zoning board, in my mind, for some reason I always had the 30 percent larger for some reason but the plan always did depict the two curb cuts and the size of the operation as it stands so it's not like they told us one thing and then did another. I stand corrected on that and that's the way it is.

MR. GUESSVENTNER: Well, as I said that's what prompted me to come.

MR. PETRO: The paper brought that out a little bit wrong on my part, I didn't want you to think they were being, they were being shady.

MR. GUESSVENTNER: This young lady told me today that she was under the same impression, that's what they originally prposed and that was just a mistake based on what I read the 30 percent.

MR. PETRO: I had the same feelings then later on said it's one heck of a spot to put it, if you weight it altogether for what's going on in the area, electric, if you listen to their stories and what's going to happen we're going to be running out in another six months and all kinds of things, we're just trying to do the right thing for everybody. I think you have another idea for landscaping along that side, I think

they've covered it pretty good, 12 foot height is pretty good, there's 23 of them along the property line, I just want to tell you though I think they've got it covered pretty good.

MR. GUESSVENTNER: Okay, like I said--

MR. PETRO: I'm sure they'll listen to any type of an idea even while you're building there, if you have another type of planting or something else but I think what you have is probably the best.

MR. LAPINE: If you take a look at the plan, you'll see an extreme difference between the type of construction now as opposed to the type of construction of the existing facility that was built in the '50s so your visual, it will be impacted to some extent, will not be impacted to the same extent as you see from the 1950 substation, this is a very streamlined monopole with insulator construction.

MR. GUESSVENTNER: I understand about the modern technology, Mr. Thomas, one of the other concerns I had was the fact that on quiet nights when there's no cars I can hear the hum of the substation where something that close and he assured me with the newer technology that that was not going to be the case. And I took him at his word for that and I understand the new technology does make it better, can do it smaller and the noise will be a lot less, well, I would just ask that if Mr. Thomas is the point of contact for Central Hudson that if there's an occasion that I can contact him, maybe any concerns that do crop up during the construction of it because I think Mr. Petro is, although not a big proponent, he understands that it is necessary and I do too, that's why I didn't come when I thought it was a smaller expansion, but if Mr. Thomas is a good point of contact at Central Hudson then maybe any other concerns or anything else I have I will direct towards Mr. Thomas. All right, thank you very

much, sir.

MR. PETRO: Someone else? Did I see another hand earlier? Motion to close the public hearing.

MR. ARGENIO: So moved.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Central Hudson site plan on a Union Avenue. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

MR. PETRO: We'll open it up to the board, I think Jerry has one right off the bat.

MR. ARGENIO: Yes, I do, I would like to see the landscaping improvements not relegated solely to the new parcel or I shouldn't say the new parcel but to the now project, I think that along with this expansion I think you guys should be doing a little bit of cleanup along the corridor, when I say cleanup, I mean some type of foliage screening of some sort. That's my thought. I'm not the whole board but that's what I thought.

MR. PETRO: You need some landscaping along the front of the old one.

MR. LAPINE: You want to see it along the west?

MR. ARGENIO: To the east.

MR. PETRO: To me it would be on the south side.

MR. ARGENIO: I think you guys should think about that. I'm only one member.

MR. BABCOCK: You're talking from the road to the existing station?

MR. ARGENIO: Yeah, I think that corridor is very busy and the folks across the street just spent a lot of money improving that intersection, Mike, and clean that place up and we compelled them, the APR people to clean up the corner of 32 and Union Avenue, if you remember that was a suggestion that you had, I don't remember what the final disposition but, some brick pavers, a park a bench, whatever it was, and I think that's an important area in the Town, it's a busy place, I think it should look nice. This is an opportunity to achieve that.

MR. PETRO: I told him I didn't want a scalloped tire with a petunia in it.

MR. ARGENIO: For this project I feel the same way, no scalloped tires with petunias.

MR. PETRO: That was the exact wording, you know what I can do there, make this very easy, duplicate what you have on the new one in front of the old one as close as you can, I'm not talking about the around the whole site but the front which is, would be on the south side, the Union Avenue side between Union Avenue and the existing complex, do the same landscaping that you have in the front of this one, if it's doable or as close to it as possible.

MR. ARGENIO: Original foliage 40 foot trees, that kind of thing. I'm kidding.

MR. LAPINE: I understand. Do you have any recommendations on the type of trees you might want to see?

MR. PETRO: Something similar to what you have here.

MR. ARGENIO: Something nice, I don't think you need 30 foot high trees.

MR. PETRO: As far as SEQRA is concerned, it's already closed out?

MR. EDSALL: Yes, we discussed it last month, if the board concurs, you can classify this as a Type 2 Action, the references are item 7 and 11, if you concur and we did speak about that last month that would be the end of the SEQRA review, that would be my recommendation.

MR. PETRO: Okay, you have no other comments though about the site plan itself, correct?

MR. EDSALL: No, they have addressed my comments and the best I can tell they have provided additional information as you requested, just another side, not from the discussions, if landscaping maintenance is a concern, you can always request a maintenance bond for the landscaping for the first three years as the code provides.

MR. ARGENIO: That's just to ensure that they take, is that right?

MR. EDSALL: Correct and this is a provision.

MR. PETRO: I'm not staring at nothing, I'm thinking, I'm not a real advocate of that, you know, I built a building in the Town of Newburgh as you know and we spent a lot of money there, it's two years and you

can't use the money, you had to put it in place in case a bush dies they replace it and take it out of your bond.

MR. EDSALL: Normally the way Mike and I approach it I offer that because it's in the code. Normally, if we see that there's a problem with the landscaping that it didn't survive the first winter we contact the owner.

MR. PETRO: That's what I was just thinking, we don't normally do that.

MR. EDSALL: And I only mention it because it was brought up.

MR. PETRO: If you have a problem there and this whole side dies, I'm going to have Mr. Meyers get on the phone and call Steve Burger, say look, we went along with this, you did what we asked, we appreciate it but half the stuff died, we want it fixed and I think he's very--

MR. EDSALL: That's how we normally handle it.

MR. PETRO: I don't think we need the bond. Okay, the only outstanding item I believe is going to be the Orange County Department of Public Works for the curb cut, is that correct?

MR. EDSALL: Yes, that's the only issue. I will acknowledge that I saw the County's letter and it does look as if they're moving toward that final approval.

MR. PETRO: The applicant said that he's returned.

MR. EDSALL: Correct, so we can always have it subject to concurrence.

MR. BABCOCK: They'll need a work permit from them.

MR. PETRO: The only thing I can make that a subject to is the only other thing would be the landscaping. Do you want to come up with a sheet and show us what you're going to do on the other side or do you want to leave it just we can leave it as a part of your approval process?

MR. EDSALL: If they add a note to the plan indicating that the plan includes enhancements of landscaping to the east of this site in a similar fashion, Mike and I have spoke, we can check that in the field, if it's all right.

MR. ARGENIO: Yeah, I want to make sure similar fashion means a similar fashion, doesn't mean three scrub bushes.

MR. PETRO: No, he's got it right in front of you.

MR. EDSALL: As long as you put a note on it, we can use that as a guide, might be simpler than trying to add another sheet.

MR. PETRO: Motion for final approval? I'll do the subject-to's.

MR. SCHLESINGER: Make the motion.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Central Hudson site plan proposed second substation on Union Avenue subject to Orange County Department of Public Works signing off on the curb cut and giving their approval and also a note on the plan indicating that the landscaping plan which is on the new portion of the second substation will be mirrored for the first substation as good if not better and that will be monitored by the building department.

MR. BABCOCK: When you say landscaping is just along Union Avenue?

MR. PETRO: Correct.

MR. PETRO: When you ride up, make believe you're living where that gentleman lives and you go passed there, you want it to look nice, so but nothing less than this, has to be equal to this and they'll use their judgment. We all ride by there about 15 times a day, not like we don't see it. Any further comments from any of the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. PETRO	AYE

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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Writer's e-mail address:
mje@mhepc.com

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME:	CENTRAL HUDSON SITE PLAN (PROPOSED SECOND SUBSTATION)
PROJECT LOCATION:	UNION AVENUE SECTION 12 – BLOCK 1 – LOT 48
PROJECT NUMBER:	03-12
DATE:	28 APRIL 2004
DESCRIPTION:	THE APPLICATION PROPOSES THE DEVELOPMENT OF A SECOND POWER DISTRIBUTION SUBSTATION ADJACENT TO THE EXISTING STATION ON THE NORTH SIDE OF THE UNION AVENUE HILL. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 11 JUNE 2003 AND 24 MARCH 2004 PLANNING BOARD MEETINGS. THE APPLICATION IS BEFORE THE PLANNING BOARD FOR A PUBLIC HEARING AT THIS MEETING.

1. The property is located in the R-4 zoning district of the Town. The utility use is not listed within the bulk tables, but is pre-existing at the location. The Board previously referred this application to the ZBA for consideration, and it was referred back for the Planning Board for site plan review. This plan includes the following additions since the March meeting:
   - ZBA interpretation has been added by note on sheet SP2
   - A Landscape Plan (sheet 10 of set) has been added.

2. As per the direction of the Planning Board, the application was referred to the OCDPW by letter dated 3/26/04. The DPW responded by letter dated 3/31 with review comments. The applicant should be asked if they have forwarded corrected copies or if we need to.

3. As per discussions at the March meeting, I agree this action should be classified as Type II (items 7 & 11). No further action is required if the Board concurs.

4. If there are any concerns or comments identified at the Public Hearing that require my further review, I will be pleased to do so, as deemed appropriate by the Board.

Respectfully Submitted,

Mark J. Edsall, P.E., P.P.
Planning Board Engineer

Installation Estimate #1

Location: *Union Avenue Substation (new Site)* Town of New Windsor

Sheet 1 of 1

Date: 02/14/02
Revised: 08/09/04
Proj. No.: 02-686

Prepared By: VandenBroek
Budget No.: 1-1312-13-02
County Code: O
Tax Dist. No.: 35

Qty	Unit	Description of Assembly	UNIT COST Material	LABOR MH/unit	LABOR $/MH	Total MHs	TOTAL COST Material	TOTAL COST Labor
Contracted Services:								
		Site Work & Fencing includes						
450	Feet	Retaining Walls	40,000				40,000	
1,700	Sq.Ft.	Asphalt driveway & Entrance	6,000				6,000	
810	Feet	Fencing	7,000				7,000	
81	Feet	Elevated Walkway	20,000				20,000	
34	Trees	Landscaping & Seeding	12,000				12,000	
		Contracted Services Subtotal:					85,000	
		Grand Total					85,000	
		Approximate					**85,000**	

This estimate shows material cost as requested for by the Town of New Windsor.

8/12

Have to Mark with the only copy of the revised plan.

RESULTS OF P.B. MEETING OF: April 28, 2004

PROJECT: Central Hudson G+E P.B. # 03-12

LEAD AGENCY:

AUTHORIZE COORD. LETTER: Y____ N____
TAKE LEAD AGENCY: Y____ N____

M)____ S)____ VOTE: A____ N____
CARRIED: Y____ N____

NEGATIVE DEC:

M)____ S)____ VOTE: A____ N____
CARRIED: Y____ N____

PUBLIC HEARING: WAIVED:____ CLOSED: ✓

M) A S) S VOTE: A 4 N 0 SCHEDULE P.H.: Y____ N____

SEND TO O.C. PLANNING: Y____
SEND TO DEPT. OF TRANSPORTATION: Y____

REFER TO Z.B.A.: M)____ S)____ VOTE: A____ N____

RETURN TO WORK SHOP: Y____ N____

APPROVAL:

M) S S) A VOTE: A 4 N 0 APPROVED: 4-28-04

NEED NEW PLANS: Y ✓ N____

CONDITIONS – NOTES:

S.T. Has been resubmitted to O.C.D.P.W. - Need Curb Cut review

Leo Giussiander

S.T. Add note to plan for:
Add some landscaping & clean up the existing sub-station

S.T. = Subject to

PLANNING BOARD: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK

----------X

In the Matter of the Application for Site Plan for:

CENTRAL HUDSON GAS & ELECTRIC P. B. #03-12

Applicant

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the **5TH** day of APRIL, 2004, I compared the 17 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for site plan/subdivision/special permit/lot line change approval and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

5th day of April, 2004

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

Notary Public

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on **APRIL 28, 2004**at 7:30 P.M. on the approval of the proposed Site Plan for **CENTRAL HUDSON GAS & ELECTRIC**

Located at **UNION AVENUE** (Tax Map #Section **12**, Block **1**, Lot **48**) . Map of the proposed project is on file and may be inspected at the **Planning Board Office**, Town Hall, 555 Union Avenue, New Windsor, NY prior to the Public Hearing.

Date: 03-29-04

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr., Chairman

4—1-52.2
Menorah Hill, Inc
52 Yacht Club Drive Apt 309
North Palm Beach, Fl 33408

4-1-53
William & Jacqueline Rumsey
PO Box 4101
New Windsor, NY 12553

4-1-55
Craig Saris
75A Lake Road
PO Box 109
Congers, NY 10920

4-1-56
Ann Lease
366 Union Avenue
New Windsor, NY 12553

4-2-20
Newburgh Enlarged City School District
C/o E. Phillips
124 Grand Street
Newburgh, NY 12550

4-2-21.12
RPA Associates, LLC
C/o AVR Realty Company
1 Executive Blvd
Yonkers, NY 10701

4-2-21.22
Patriot Ridge Development, LLC
C/o AVR Realty Company
1 Executive Blvd
Yonkers, NY 10701

4-1-7.2
Frank & Rose Giordano
46 Hillside Avenue
New Windsor, NY 12553

4-1-8 & 12-1-13
Archie & Gloria Jean Antonelli
28 Hillside Avenue
New Windsor, NY 12553

4-1-9 & 12-1-12
Josephine Di Paolo
32 Hillside Avenue
New Windsor, NY 12553

9-1-11
Ofer Avgush
152 Route 202
Garnerville, NY 10923

9-1-12.1
BJS Holding, LLC
38 West 32nd Street, Room 1201
New York, NY 10001

9-1-12.2
Angelina Talmadge
C/o Bernie Calandrea
13 veronica
New Windsor, NY 12553

9-1-13
Roman Catholic Church of St. Joseph
6 St Joseph Place
New Windsor, NY 12553

9-1-25.4
Eugene & Jann Hecht
161 Windsor Highway
New Windsor, NY 12553

12-1-1
Andrew & Catherine Moglia
C/o Catherine Lorgan
56 Hillside Avenue
New Windsor, NY 12553

12-1-2.1 & 12-1-3
Andrew & Catherine Moglia
14 little Lane Road
Newburgh, NY 12550

12-1-6
Chris Doogan
48 Hillside Avenue
New Windsor, NY 12553

12-1-7
Aldo Montoya
44 Hillside Avenue
New Windsor, NY 12553

12-1-9.1
Suzanne Brown Lewis
40 Hillside Avenue
New Windsor, NY 12553

12-1-10 & 12-1-11
Samuel & Kathryn Sorbello
34 Hillside Ave
New Windsor, NY 12553

12-1-14
Kevin & Ellen Mann
24 Hillside Avenue
New Windsor, NY 12553

12-1-16
Philomena Guariglia Mahood
20 Hillside Avenue
New Windsor, NY 12553

12-1-18.1
Samuel Jr. & Eric Acquaro
Samuel Acquaro
16 Hillside Avenue
New Windsor, NY 12553

12-1-19
Susan Guercio
34 Post Road
Monroe, NY 10950

12-1-23
Ofer Avgush
4 Hillside Avenue
New Windsor, NY 12553

12-1-24
Louis & Kathleen Antonelli
3 Hillside Avenue
New Windsor, NY 12553

12-1-27 & 12-1-49
Frank Sr. & John Antonelli
4 Cedar Court
Palm Coast, FL 32137

12-1-28 & 12-1-29
Joseph & Rose Ann Cubito
15 Hillside Avenue
New Windsor, NY 12553

12-1-30
Joseph & Carmela DeLeonardo
1647 Roland Avenue
Wantagh, NY 11793

12-1-31 & 12-1-32
Gino & Ella Cracolici
220 Summit Drive
New Windsor NY 12553

12-1-33
Jamie & Wilma Anzalone
27 Hillside Avenue
New Windsor NY 12553

12-1-34 & 12-1-35
Bernard McCullom
31 Hillside Avenue
New Windsor NY 12553

12-1-36 & 12-1-37
John III & Louise Baker
35 Hillside Avenue
New Windsor NY 12553

12-1-38
Anthony & Rose Damiano
39 Hillside Avenue
New Windsor NY 12553

12-1-39 & 12-1-40
John & Ellen Antonelli
43 Hillside Avenue
New Windsor NY 12553

12-1-41
Mark & Harry & Janice Walters
364 Union Avenue
New Windsor NY 12553

12-1-42
Frank & Barbara Antonelli
360 Union Avenue

12-1-44.1
William Schwartz
356 Union Avenue
New Windsor NY 12553

12-1-46.1
Jonle Enterprises, Inc.
354 Union Avenue
New Windsor NY 12553

12-2-1
Orwest Realty Corporation
C/O DB Companie Dairy Mart Store #619
PO Box 9471
Providence, RI 02940

12-2-22
David Sarinsky
298 Union Avenue
New Windsor NY 12553

12-1-49
Frank P. Antonelli Sr
170 Windsor Highway
New Windsor NY 12553

ORANGE COUNTY
DEPARTMENT OF PUBLIC WORKS
P.O. Box 509, 2455 Route 17M
Goshen, New York 10924-0509
TEL (845) 291-2750 FAX (845) 291-2778

Edward A Diana, *County Executive*
Edmund A. Fares. P.E.. *Commissioner of Public Works*

March 31, 2004

James Petro, Jr., Chairman
Town of New Windsor Planning Board
555 Union Ave.
New Windsor, New York 12553

Re: CHG&E Corp. – Substation Alterations – Site Plan
County Road No. 69 – Union Ave.
Plans by: Chazen Engineering & Land Surveying, PC
Dated: 1/30/03, Last revised: 3/19/04
Sheets 1 through 9 of 9

Dear Mr. Petro:

This Department has reviewed the plans for the above referenced project and has the following comments.

I. The County's standard note "No site preparation or construction, including utility connections, shall commence until a valid Highway Work Permit has been secured from the Orange County Department of Public Works under Section 136 of the Highway Law" must be on all sheets of the Site Plan set.

II. The plans show a proposed concrete curbed Entrance Driveway onto County Road No. 69 with curbs only within the County Road Right of Way. The Orange County Department of Public Works does not require curbs for any project on a County Road. However, if the Municipal Planning Board requires curbs for a project then the curbs must be designed in conformance with the Policy & Standards of the Orange County Department of Public Works.

III. County Road No. 69 – Union Avenue as shown does not represent the existing conditions of the roadway. The plans must show the new edges of asphalt shoulders, white lines (edge of travel lanes), center yellow lines, traffic patterns (turning lanes & cross hatchings), turn arrows, utility poles and anchors, manholes, catch basins drainage ditches, all signage the commercial driveway opposite the proposed project.

IV. The Stabilized Construction Entrance must be a minimum of 30' wide. Revise the detail.

V. The Entrance Drive must be paved for a minimum of 30 feet. The Asphalt Top Course as shown on the Driveway Pavement Detail on Sheet 6 of 9 must be increased to a minimum of 2".

If you have any questions please contact this Office at your earliest convenience.

Very truly yours

Patrick T. Kennedy, LS
Senior Engineer

Cc: Charles W. Lee, PE, Deputy Commissioner
Cesare L. Rotundo, PE, Principal Engineer
Mark J. Edsall, PE, Planning Board Engineer
Chazen Engineering & Land Surveying, PC

Town of New Windsor

555 Union Avenue
New Windsor, New York 12553-6196
Telephone: (845) 563-4615
Fax: (845) 563-4695

Mark J. Edsall, P.E.
Engineer for the Town

26 March 2004

Mr. Thomas McGlade, Engineer
Orange County Department of Public Works
Division of Engineering
P.O. Box 509
Goshen, New York 10924-0509

SUBJECT: CENTRAL HUDSON GAS & ELECTRIC CORP. SITE PLAN
NEW WINDSOR P.B. APP. NO.03-12

Dear Mr. McGlade:

I am writing this letter on behalf of, and at the direction of, the Town of New Windsor Planning Board. The Planning Board has had placed before it an application for site plan approval of the subject project.

The Planning Board has asked that I forward the attached information for your technical review. We are aware that the applicant for the project will be required to submit construction drawings in connection with the issuance of a permit for any work within or accessing the Orange County Highway; however, this review is for purposes of coordination with the Planning Board as to the general acceptability of the layout and design of the application before the Planning Board, not for issuance of the necessary permit.

If you wish to discuss this application/referral, please do not hesitate to contact me at your convenience at (845) 567-3100. If you wish to meet at the project site, please call me, such that we can schedule the visit. As always, your assistance and review are most appreciated.

Very truly yours,

TOWN OF NEW WINDSOR

Mark J. Edsall, P.E., P.P.
Town Engineer

NW03-12-OCDPW Ref 03-26-04.doc
MJE/st

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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Writer's e-mail address:
mje@mhepc.com

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CENTRAL HUDSON SITE PLAN
(PROPOSED SECOND SUBSTATION)
PROJECT LOCATION: UNION AVENUE
SECTION 12 – BLOCK 1 – LOT 48
PROJECT NUMBER: 03-12
DATE: 24 MARCH 2004
DESCRIPTION: THE APPLICATION PROPOSES THE DEVELOPMENT OF A SECOND POWER DISTRIBUTION SUBSTATION ADJACENT TO THE EXISTING STATION ON THE NORTH SIDE OF THE UNION AVENUE HILL. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 11 JUNE 2003 PLANNING BOARD MEETING.

1. The property is located in the R-4 zoning district of the Town. The utility use is not listed within the bulk tables, but is pre-existing at the location. The Board previously referred this application to the ZBA for evaluation. The Board should discuss the outcome of that referral with the applicant.

2. The Planning Board should discuss what additional information is needed on the plan.

3. The Board may wish to begin the SEQRA process at this meeting.

4. The applicant has indicated that they have been in contact with the OCDPW regarding the access to Union Avenue (a County highway). The Board should ask the status of this approval.

Respectfully Submitted,

Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW03-12-24Mar04.doc

RESULTS OF P.B. MEETING OF: March 24, 2004

PROJECT: Central Hudson G & E P.B. # 03-12

LEAD AGENCY:

AUTHORIZE COORD. LETTER: Y____ N____
TAKE LEAD AGENCY: Y____ N____

M)___ S)____ VOTE: A____ N____
CARRIED: Y_____ N____

NEGATIVE DEC:

M)___ S)____ VOTE: A____ N____
CARRIED: Y_____ N____

PUBLIC HEARING: WAIVED:_____ CLOSED:_____

M) A S) L VOTE: A 5 N 0 SCHEDULE P.H.: Y ✓ N____

SEND TO O.C. PLANNING: Y____
SEND TO DEPT. OF TRANSPORTATION: Y____

REFER TO Z.B.A.: M)____ S)____ VOTE: A____ N____

RETURN TO WORK SHOP: Y___ N____

APPROVAL:

M)___ S)____ VOTE: A____ N____ APPROVED: _____

NEED NEW PLANS: Y____ N____

CONDITIONS – NOTES:

Work out SEQRA details
Get revised EAF from ZBA file
Need DPW - before PH if possible - not necessary

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.
RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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e-mail: mhepa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN / VILLAGE OF: New Windsor **P/B APP. NO.:** 03 - 12

WORK SESSION DATE: 03-16-04 **PROJECT:** NEW ____ OLD X

REAPPEARANCE AT W/S REQUESTED: No **RESUB. REQ'D:** N/A

PROJECT NAME: Central Hudson G & E S/P

REPRESENTATIVES PRESENT: ____

MUNICIPAL REPS PRESENT:

BLDG INSP.	X	FIRE INSP.	____
ENGINEER	____	PLANNER	____
P/B CHMN	____	OTHER	____

ITEMS DISCUSSED:

ZBA - interpretation -
Public Utilities exempt
43-24b
- Send to OCDPW - Tom McGlade.
- ret wall ver. designed

STND CHECKLIST:

DRAINAGE ____
DUMPSTER ____
SCREENING ____
LIGHTING ____ (Streetlights)
LANDSCAPING ____
BLACKTOP ____
ROADWAYS ____
APPROVAL BOX ____

PROJECT TYPE

(SITE PLAN)
SPEC PERMIT
L L CHG.
SUBDIVISION
OTHER

PROJECT STATUS:

ZBA Referral: ___Y ___N

Ready For Meeting ___Y ___N

Recommended Mtg Date 3/24

MHE PC

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.
RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

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☐ Regional Office
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e-mail: mhepa@mhepc.com

Writer's E-mail Address:
mje@mhepc.com

1-3

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN / VILLAGE OF: New Windsor (TOWN circled) **P/B APP. NO.:** ____ - ____

WORK SESSION DATE: 21 May 2003 **PROJECT:** NEW X OLD ____

REAPPEARANCE AT W/S REQUESTED: not now **RESUB. REQ'D:** yes new plans

PROJECT NAME: Central Hudson - Union Ave

REPRESENTATIVES PRESENT: B.L. Thomas, R.O.W. ; Vaughn Marcrone, Envr. ; Wiegel, Elect Design

MUNICIPAL REPS PRESENT:
BLDG INSP. ____ FIRE INSP. Tom L.
ENGINEER X PLANNER ____
P/B CHMN ____ OTHER ____

ITEMS DISCUSSED:

show adjoining house
- 288
+ 45
- give top elev of exist
- radiation - have answers

next avail agenda

STND CHECKLIST:
DRAINAGE ____
DUMPSTER ____
SCREENING ____
LIGHTING ____
(Streetlights)
LANDSCAPING ____
BLACKTOP ____
ROADWAYS ____
APPROVAL BOX ____

PROJECT TYPE
SITE PLAN
SPEC PERMIT
L L CHG.
SUBDIVISION
OTHER

PROJECT STATUS:
ZBA Referral: ____Y ____N

Ready For Meeting ____Y ____N

Recommended Mtg Date: next avail / 6/11 ?

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 03-12 DATE: 16 July 03

APPLICANT: Central Hudson G&E
284 South Avenue
Poughkeepsie NY 12601

#12BA 1-26-04
SET UP FOR P/H

#2 ZBA 3-8-04

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED APPLOCED

FOR (~~SUBDIVISION~~ - SITE PLAN)

LOCATED AT north side Union Ave

ZONE R-4

DESCRIPTION OF EXISTING SITE: SEC: 12 BLOCK: 1 LOT: 48

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

interpretation and/or variance for expansion of nonconforming use, exceeding 30%
(see 48-24 B'3)
48-24-B 4

MARK D. EDSALL P.E. for
MICHAEL BABCOCK,
BUILDING INSPECTOR

****

REQUIREMENTS		PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE _____ USE _____			
MIN. LOT AREA	_____	_____	_____
MIN. LOT WIDTH	_____	_____	_____
REQ'D FRONT YD	_____	_____	_____
REQ'D SIDE YD.	_____	_____	_____
REQ'D TOTAL SIDE YD.	_____	_____	_____
REQ'D REAR YD.	_____	_____	_____
REQ'D FRONTAGE	_____	_____	_____
MAX. BLDG. HT.	_____	_____	_____
FLOOR AREA RATIO	_____	_____	_____
MIN. LIVABLE AREA	_____	_____	_____
DEV. COVERAGE	_____ %	_____ %	_____ %
O/S PARKING SPACES	_____	_____	_____

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT: (914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

CENTRAL HUDSON GAS & ELECTRIC SITE PLAN (03-12)

MR. PETRO: Proposed expansion of existing substation. Application proposes development of the second power and substation adjacent to the existing station on the north side of the Union Avenue hill. Property is located in an R-4 zone district of the Town. The utilities use is not listed within the bulk tables but as a pre-existing at the location, Mark, let's talk about that a little bit, it's existing at the location. The utility is not listed within the bulk tables but is a pre-existing at the location. Now, if you have an existing use, you're allowed to encroach is it 30 percent?

MR. EDSALL: Well, it's--

MR. PETRO: How are you getting around the zoning in an R-4 zone?

MR. EDSALL: Well, the zoning law allows you to continue a use that's let's say non-conforming and it allows increasing the building area as an addition of so much percentage of the building, this is I guess a little more unique because there are utility structures, it's not a building, that's what I was just discussing with Mike, this is really a unique case that I don't know necessarily is addressed within the text of the code.

MR. PETRO: I've got to say this to that and Union Avenue, if I lived in the house going up Union Avenue on the next brick house where this property is adjacent to and I saw this adjacent to and I lived in an R-4 zone, I'd be pretty damn mad. So when they call up here and say how are we allowing that to happen in an R-4 zone, I still, I'm still unclear, I don't have an answer. Look at this, if I lived next to that, first of all, my house, I'd probably ask have to sell for about $12 and I live in an R-4 zone. And I'm not against your project, I'm against where it is, that's all and I realize you already have it there, you need it because you can't service the electric needs, I know the whole deal.

MR. BABCOCK: We're not really saying that they don't have to go to the zoning board, we're saying that it's really not listed in the bulk tables so--

MR. PETRO: Then they have to go to the zoning board.

MR. BABCOCK: That's why we want to discuss that with you gentlemen tonight.

MR. PETRO: I would suggest that you're going to have to go to the zoning board for a use variance which is going to be very difficult.

MR. LAPINE: My name is Chris Lapine. Section 48-24 non-conforming uses B1 states any non-conforming use of building or open land may be continued indefinitely but shall not be changed to another non-conforming use. I don't believe that Central Hudson intends on changing the use of this land.

MR. PETRO: No, but you're expanding it, if you were going to change what you already have, I'd agree, but you're expanding it and you're going to expand it by quite an amount too. I don't think it's, just look at the shaded-in area and look at what you have or I mean look next to it, I see where you have it there anyway, how do you feel that that's pertinent to the zoning? I'm not following you really.

MR. LAPINE: Well, I'm sensing that it's the concern here is that it's a non-conforming use.

MR. PETRO: On the new lands.

MR. LAPINE: On the new lands which they are the lands combined are one tax parcel.

MR. PETRO: Okay,

MR. THOMAS: It's not separate, it's all one parcel of land, it's just that we're going to build a separate station next to the existing station.

MR. PETRO: Why is it outlined on my map as a second parcel?

MR. LAPINE: It's a separate deed.

MR. PETRO: Are you doing that just in-house to show us what's already there?

MR. LAPINE: It's how much it is in the Town.

MR. PETRO: You get one tax bill for this property?

MR. THOMAS: Yes.

MR. PETRO: It's all section, block and lot one number the entire property?

MR. THOMAS: Yes.

MR. PETRO: What's the line if the middle then? Come on up.

MR. THOMAS: This is a new parcel.

MR. PETRO: What's this line right here?

MR. THOMAS: That line is going to be the new area for the area for the new station, even though this is all one, it's going to be a separate station so that that's the line, the footprint of the--

MR. PETRO: That's what I'm asking, you drew this line in-house, this has nothing to do with the extra parcel?

MR. THOMAS: That's correct.

MR. ARGENIO: Mike, what are you saying?

MR. BABCOCK: If it's a separate lot, it's a little more difficult for them. They're saying it's not. We have to verify that and I'm sure they know what they're talking about. If it's on the same lot, the extension of a non-conforming use talks about a 30 percent expansion of buildings. I think that's something that they either need a variance for and/or an interpretation from the zoning board. And I understand his argument of the 4824 and that.

MR. PETRO: I didn't realize it was the same lot when I was saying that, that clarifies it the way you're thinking, obviously, if I see two lots there then when you were saying that, I'm saying what are you even talking about?

MR. EDSALL: 4824 is a section which talks about extending a use. So I think that portion applies to when you're taking an existing non-conforming and making it larger and the code uses the words structure, what Mike's I believe saying is if we can't at this board make a determination as to whether or not that applies then you have to go to the ZBA and the ZBA says yes, you need a variance cause you're going over 30 percent then fine.

MR. PETRO: 30 percent of what?

MR. EDSALL: That's the reason.

MR. ARGENIO: Mike said--

MR. EDSALL: Code says structures so--

MR. PETRO: Are the transformers a structure? So you need an interpretation.

MR. KRIEGER: Doesn't the code define structure?

MR. EDSALL: An assembly of materials.

MR. BABCOCK: So it could be, yes.

MR. ARGENIO: So what do you calculate, the footprint of each transformer?

MR. EDSALL: Hence the reason why I think the best one to deal with an interpretation of what this portion of the code meant is the zoning board.

MR. PETRO: Cause I don't want to belabor this, you have to go to the zoning board, why don't you tell us a little bit about what you want to do, put up this there and let's at least take a look at that.

MR. THOMAS: What we want to put there is a new substation. As you can see here, this is, this is one of our current substations. Huynh, maybe you want to come up and talk. Huynh is the project engineer.

MR. NGUYAN: This is one of our substations in Highland, it's going to look, the new station is going to look almost identical to this, so what we have done here is there's been a rendering, of course they've taken that station and set it into the, where it's going to be, next to it the only structure, only building that's going to be on property is going to be this control house which will house some power equipment.

MR. PETRO: How many apartments in it?

MR. THOMAS: You can live in there and you have continuous light.

MR. ARGENIO: You'll glow.

MR. PETRO: You know, this site also has a topo problem on the west side and how are you going to treat that? Do you have anything to show us? I'm getting ahead of myself a little bit.

MR. LAPINE: We submitted a grading plan which pretty much--

MR. PETRO: Dig it out.

MR. LAPINE: Yes, dig it out and push it to the east to attempt to balance the site, minimize off-site transport of material during construction.

MR. PETRO: There's going to be a slope from your property line down to it, I think, what's our slope, one on one I guess is the maximum?

MR. THOMAS: One on three, isn't it?

MR. PETRO: Mark, what's the slope, one on three or one on one?

MR. EDSALL: One on one is pretty aggressive, one on two is reasonable, that's what we use within right-of-ways, one on three is nice.

MR. LAPINE: All our proposed grading is three on one.

MR. PETRO: Well, you've moved it all the way this way. Separate entranceway or access off the original site?

MR. THOMAS: Separate entrance right here.

MR. PETRO: That would go to that's New York State then, right?

MR. ARGENIO: County.

MR. LAPINE: And we've had discussions with the County, the entrance location shown is based upon the required sight distances, we'd like to make a formal submittal to them, of course we're waiting for at least a conceptual approval.

MR. ARGENIO: Did they respond about the additional entrance?

MR. THOMAS: As long as we conform to what we asked for, there's no problem, there has to be a certain setback, has to be a certain width, the blacktop has to be a certain depth and we're doing all of that.

MR. SCHLESINGER: What's the purpose of the substation, more power?

MR. PETRO: You were here last time you told us we're going to run out of power.

MR. NGUYEN: The existing station is almost to the maximum capacity now and based on the new volume around here, we need new power station to provide the service around here.

MR. SCHLESINGER: You mean additional, not new, the other station, so you need an additional station and nothing's going to change from the original one?

MR. THOMAS: Nothing will change here at all, that will stay there.

MR. SCHLESINGER: So there's a demand for more power, this is your way of supplying?

MR. THOMAS: As of last year, we had to put in an additional circuit to feed New Windsor out of this station so that we're pretty close to maxing this station out.

MR. PETRO: Because of my mother and the electric heat in her apartment, I can tell you that right now.

MR. THOMAS: Looking forward something had to be done to continue this service. And have her continue to do that, please.

MR. BRESNAN: And this is a naive question, why do you have to build a separate station? Why can't you embellish the one you have?

MR. CHAN: When you say embellish, make larger.

MR. BRESNAN: Upgrade it.

MR. CHAN: You would still need to expand the existing substation. Right now, based on last summer's loads, we had 93 percent of the capacity of the substation and by summer 2005, we expect to have above 100 percent of the capacity of the substation.

MR. BRESNAN: So the hardware you need you can't do anything to the hardware?

MR. SCHLESINGER: If those are transformers, put in bigger transformers to produce more electricity or greater output within the same area?

MR. CHAN: Not with the existing footprint.

MR. SCHLESINGER: You can't do that?

MR. CHAN: No.

MR. BABCOCK: It appears to me that they're probably doubling the size of the one that's there making this new one is about the same size as the old one and in fairness so that's definitely more than the 30 percent expansion, even if you use the existing structures so there definitely is a, they would need a variance for the 30 percent. So I don't think we need to talk about the 30 percent, we need to know how many more if they're doing a hundred percent expansion they need a variance.

MR. PETRO: That's if it's two separate lots.

MR. BABCOCK: No, even on the same lot, if you have a non-conforming use, you can expand it by 30 percent of the floor area, the structure.

MR. EDSALL: We just looked up under this section of the zoning code and under structure, the definition includes the materials that form a construction but says including other things as well as radio towers so there was an indication they were heading towards non-building structures being part of that term so from our review tonight, it looks like it would apply.

MR. LAPINE: Is that 30 percent of a structure that's not a new structure if you don't connect the structures?

MR. EDSALL: Again, that's why we're saying we wouldn't want to send you to the ZBA saying you need a variance, we'd send it for an interpretation and/or variance so if the interpretation is that no, that's not really what they meant and this 30 percent doesn't apply to you then fine, you've got an interpretation and it comes back. But the Zoning Board is the one that has to decide what this means.

MR. PETRO: What I'd like to do is have you go to the ZBA and get through that or not get through it before we go any further here because this would just be a moot point to continue. If you got through zoning and you came back and you're allowed to build the size that you want, then we can look at planning board issues. I

mean, we've gone over a couple of them tonight but not extensively. Mark has to review it, i.e., the retaining wall, the slopes and curb cut and things like that, there's no sense in continuing here without the zoning board because I still see it now as a non-conforming use for the entire site for the size that you're going to use it for and we can't review it. I'll entertain a motion for final approval.

MR. BRESNAN: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Central Hudson site plan proposed second substation on Union Avenue. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	NO
MR. BRESNAN	NO
MR. KARNAVEZOS	NO
MR. ARGENIO	NO
MR. PETRO	NO

MR. PETRO: You have been referred to the New Windsor Zoning Board for your necessary relief of the law that you're looking for or for a variance that you may need. If you are successful and receive those, put them on the plan, you can reappear before this board for review.

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: CENTRAL HUDSON SITE PLAN
(PROPOSED SECOND SUBSTATION)
PROJECT LOCATION: UNION AVENUE
SECTION 12 – BLOCK 1 – LOT 48
PROJECT NUMBER: 03-12
DATE: 11 JUNE 2003
DESCRIPTION: THE APPLICATION PROPOSES THE DEVELOPMENT OF A SECOND POWER DISTRIBUTION SUBSTATION ADJACENT TO THE EXISTING STATION ON THE NORTH SIDE OF THE UNION AVENUE HILL.

1. The property is located in the R-4 zoning district of the Town. The utility use is not listed within the bulk tables, but is pre-existing at the location.

2. The Planning Board may wish to authorize the issuance of a Lead Agency Coordination letter for the project, to begin the SEQRA review process. The applicant should submit six (6) copies of sheets SP-1, SP-2 and SP-3, plus the environmental form for this purpose.

3. The Planning Board should determine, for the record, if a Public Hearing will be required for this Site Plan, per its discretionary judgment under Paragraph 48-19.C of the Town Zoning Local Law.

4. Submittal of this application/plan to the OCDPW will be necessary.

Respectfully Submitted,

Mark J. Edsall, P.E., P.P.
Planning Board Engineer

MJE/st
NW03-12-11Jun03.doc

RESULTS OF P.B. MEETING OF: June 11, 2003

PROJECT: Central Hudson Gas & Electric P.B. # 03-12

LEAD AGENCY:

AUTHORIZE COORD. LETTER: Y____ N____
TAKE LEAD AGENCY: Y____ N____

M)___ S)___ VOTE: A____ N____
CARRIED: Y____ N____

NEGATIVE DEC:

M)___ S)___ VOTE: A____ N____
CARRIED: Y____ N____

PUBLIC HEARING: WAIVED:____ CLOSED:____

M) ____ S)____ VOTE: A____ N____ SCHEDULE P.H.: Y____ N____

SEND TO O.C. PLANNING: Y____
SEND TO DEPT. OF TRANSPORTATION: Y____

REFER TO Z.B.A.: M) B S) A VOTE: A 0 N 4 Send to ZBA

RETURN TO WORK SHOP: Y___ N____

APPROVAL:

M)___ S)____ VOTE: A____ N____ APPROVED: _____

NEED NEW PLANS: Y____ N____

CONDITIONS – NOTES:

Verify same or separate lot

Need Interpretation and/or Variance

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#547-2003

06/09/2003

CH Energy Group

Received $ 100.00 for Planning Board Fees, on 06/09/2003. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

PB 03-12 Application

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 06/06/2003 PAGE: 1

LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 3-12
NAME: CENTRAL HUDSON SUBSTATION - PA2002-1104
APPLICANT: CENTRAL HUDSON GAS & ELECTRIC CORP.

--DATE--	DESCRIPTION---------	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
06/06/2003	REC. CK. #701261	PAID		750.00	
		TOTAL:	0.00	750.00	-750.00

6/9/03

RESULTS OF P.B. MEETING OF : November 2002

PROJECT: Central Hudson Sub Station **P.B.#** Discussion

LEAD AGENCY:

1. **AUTHORIZE COORD LETTER:** Y___ N___
2. **TAKE LEAD AGENCY:** Y___N___

M)___S)___ VOTE: A___N___
CARRIED: YES___NO___

NEGATIVE DEC:

M)___ S)___ VOTE: A___N___
CARRIED: YES___NO___

WAIVE PUBLIC HEARING: M)___S)___ VOTE: A___N___ WAIVED: Y___N___

SCHEDULE P.H. Y___N___

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)___S)___ VOTE: A___N___

RETURN TO WORK SHOP: YES___ NO___

APPROVAL:

M)___S)___ VOTE: A___N___ APPROVED:_____
M)___S)___ VOTE: A___N___ APPROVED CONDITIONALLY:_____

NEED NEW PLANS: Y____ N____

DISCUSSION/APPROVAL CONDITIONS:

Need full Site Plan & Application

Need facts on safety and impact on homes and public.

DISCUSSION

CENTRAL HUDSON SITE PLAN - UNION AVENUE

MR. EDSALL: Central Hudson appeared at the workshop and left us some plans, I think everyone who drives up and down Union Avenue is familiar with the substation on the hill transmitting power to this area of the town. You'll see on the plan that there's an area that says Union Avenue subdivision towers, et cetera, just says no located, they just basically they exist, they just didn't field locate the units. They showed power lines in and out, you'll notice up the hill they're showing another substation expansion. The bottom line is it's overhead utility, it's power conveyance, there's no buildings, it's the same existing use that's there now. As they explained it to us, they're not doing this by choice, they're running out of power distribution capacity in this area of the town, in fact, because of the some soft development they're very concerned about maintaining power for the next six months.

MR. BRESNAN: Any of the cables going over new homes?

MR. EDSALL: No, it's basically on their property and it's connecting into the existing.

MR. ARGENIO: Development is limited to on their property?

MR. EDSALL: On their property. When I asked Mike about it, if you consider it a pre-existing, non-conforming use, they're allowed to expand 30 percent of floor area, there's no floor involved, it's overhead wires and an argument can be made that there's overhead wires through the whole town, every utility line in the town doesn't have to get a site plan approval. So I leave it in your gentlemen's hands as to how you want to handle it.

MR. BRESNAN: How many cables are they adding?

MR. EDSALL: Effectively, the mass of the switching station is being doubled, they're putting another one

right next to it.

MR. BRESNAN: So double the amount of cables going on to it?

MR. EDSALL: No, I think it's just--

MR. BRESNAN: They use the same cables to handle both?

MR. EDSALL: I think they handle the same cables probably feeding the substation but it's probably the control, they control the power in the area.

MR. ARGENIO: They're going to increase their power, their ability to, their capacity to step down the power.

MR. EDSALL: As I understand it.

MR. BRESNAN: Did we have check emissions from those cables? Does anybody ever talk about that?

MR. ESDALL: I know people talk about it, I don't know similar to when we discuss cell towers, they're subject to Federal and State standards.

MR. BRESNAN: You've heard so much about cancer causing effects out on Long Island and a lot of other places, just curious, that's all.

MR. EDSALL: I don't know that we have ever studied that.

MR. ARGENIO: I'll tell you this without getting too much into it, I went to Niagara University, which is near Niagara Mohawk where they generate power, Jim, you haven't seen cables and I mean primary power transmission like you, I can't even describe the amount of towers. That doesn't answer your question to say it's safe but just it's unbelievable.

MR. PETRO: Jim did go but his hair was black when he went there. I didn't want to say anything.

MR. BRESNAN: And I never lit up in the dark. Now, I

do. All right, let's not--

MR. PETRO: Anyway, what you're saying, Mark, in response to what Jim asked is that another agency such as Regulatory Commission of some kind in New York State would be monitoring that?

MR. EDSALL: Public Service Commission regulates Central Hudson, I would assume that this work is subject to their approval.

MR. PETRO: Cause we do have a residence directly to the west of the site.

MR. BRESNAN: Would we need to have proof of that before we do anything?

MR. EDSALL: See the overhead primaries as Jerry said the lines go behind that residence as well, they'll still be the same, it's only the station that's going to be filled, that gap in between the house and the existing station.

MR. PETRO: There's quite a topo, how are they going to do that, take the hill down?

MR. EDSALL: Probably have to cut in.

MR. PETRO: How about a retaining wall?

MR. EDSALL: The other thing that I brought to their attention, I was concerned about their accessing Union Avenue in another location that I thought it was ridiculous for them to have two curb cuts, given the history of that hill. I said it's not a town road, so I warned them you have to go to DPW, that's under their jurisdiction, not ours but I said we wouldn't sure as heck support any additional curb cuts.

MR. LANDER: No way.

MR. PETRO: Mark, why don't you go back to them first instead of just telling them to go ahead, get some information on Jim's question and ask them to give us a little information on that, number 1. Number 2, also

ask them how they're going to treat the slope, i.e., retaining wall and any landscaping that they might do.

MR. EDSALL: Would it pay to have them just stop in at the end of a meeting?

MR. PETRO: Yeah.

MR. BABCOCK: Let them explain it, it would be better, we'll tell them the questions to be prepared for the questions that you guys are going to ask.

MR. ARGENIO: I don't understand why they wouldn't do that, why would they be exempt from that?

MR. PETRO: Because there's no building, there's not a building there so--

MR. KARNAVEZOS: You know what, again, too, you know if they're going to be putting up poles, you know, it's one of those four legged poles, what's to say that the two legs can't be down further into the grade and just they're going to have to put some kind of footings right so even if it's like this (indicating).

MR. EDSALL: If you look at the ones that go up the hill, all four legs are at different elevations.

MR. EDSALL: I will invite them to the end of the next meeting.

CENTRAL HUDSON

Mr. John McManus, Mr. Huyah Nguyen and Mr. Wayne Mancroni appeared before the board for this proposal.

MR. MCMANUS: John McManus, Central Hudson. What we're here preliminarily to give an idea of what we intend to do, expand the Union Avenue substation. Again, I'm filling in for Robert, he had a death in the family so he won't be here and I'm not up to speed so you'll have to forgive me. We did put together a preliminary site plan and drawing and our engineer can kind of explain it, what we have and what we're doing, which is easier. Put it up here?

MR. PETRO: Right up on the board.

MR. MANCRONI: I'm Wayne Mancroni.

MR. NGUYEN: I would like to explain it to you. This is existing Central Hudson substation that we have here right now and last year, we installed a new circuit from our substation and the circuit up to now is almost full load and after we do the planning study, if these new substations won't be built by next year we might not have enough power to supply the area. So now the reason we propose to build a new station right next to the existing station to make connection between here and here and that will provide more to support the load here.

MR. PETRO: What's the colored area on the map? What's that.

MR. NGUYEN: This is the wetland area, that's a wetland area that we get a survey.

MR. PETRO: Nothing like building electrical in a wetland.

MR. NGUYEN: No we're not building it there.

MR. PETRO: Get a shock there, huh?

MR. NHUYEN: This is how we plan to build a station,

it's the property that we own now and this is just around here, we try to get the station within our property as much as we can. There's a driveway we have reviewed with the County over here for, it's a proposal for now.

MR. LANDER: Now all you're putting on there is exactly what you have right next door to the proposed, okay, there's not going to be any building or just--

MR. NGUYEN: We do have some, not really a building, but we say a control house, there's equipment in there.

MR. LANDER: Panel boxes?

MR. MCMANUS: Switch gear and panel boxes.

MR. LANDER: Now, how do you plan on taking cause there's a big hill there, right, you're going to excavate that hill?

MR. NGUYEN: Yeah, we have to cut and fill that area because the slope comes down, it's very high, we have to cut and fill that to make sure that we get a platform for the substation.

MR. LANDER: Is it going to be the same elevation or stepped up?

MR. NGUYEN: It will be stepped up because it's too much cut and it costs a lot of money for the cuts and you see a lot of rock, we did not even test the soil yet to see how much rock is available here, lot of rock costs a lot of money.

MR. LANDER: So leading up to my other question was would you need a retaining wall between your fence line and your property line? Would there have to be a retaining wall there?

MR. NGUYEN: Yeah. Right now, we're studying do we need it or we don't need it, it depends on how we locate our area inside. If we locate it within the this area with a lot more room so we can put the slope a little bit where we might not need it but if we need

to cut more steep slope, we might need a retaining wall for this.

MR. LANDER: How close is that? We know where the property line is, but how close is that to the house? There's a residence right next door, do you know that?

MR. NGUYEN: Yes, the residence over here but from the fence to our property line here, this is the fence of the substation, we plan to keep it roughly 20 feet from the fence to the property line.

MR. LANDER: Plus the grade goes up there anyway.

MR. NGUYEN: But we don't look at how far from people's house to the fence but my best guess roughly 50 feet.

MR. LANDER: So now you're going to close your other entrance down and make this entrance here?

MR. NGUYEN: No, the other one we leave it alone but this one we just service station but we make connections, too.

MR. LANDER: You have to submit to the County for that.

MR. MCMANUS: Bob has spoken and they were not too long ago maybe last week but I know he was physically out on the site with the County engineer, I don't, I can't tell you what transpired because I wasn't there at the time, but I do know that Bob has been working with the County on siting this as far as the location for the site plan.

MR. MANCRONI: He had a preferred recommendation of where he wanted it in, this artist's rendition, this is what the new portion would look like behind the buffer, we hope to maintain it's about halfway up the hill, it's probably better to turn this around actually and show you, okay, this is the existing substation, the chain link fence basically to the southeast so you're talking there's an existing--is there a pole here?

MR. NGUYEN: Yeah.

MR. MANCRONI: He actually thought this would be the best place for the road. We're looking at this depending on the amount of cut we take out, he may shift it up, but he didn't want it any further than down the hill, he thought if we got it too low, it would be almost too settled down low so he suggested sifting it, shifting it a little higher, this is still being looked at but this is where he suggested where it should be.

MR. PETRO: I don't want to take up your time or the board's time because let's see the right way to tell you this, you need to, we're going to need a full site plan for this, all right, and obviously, we're going to have a public hearing, there's a lot of questions about this and I'm not going to ask them all because I don't think any of us here are qualified to ask the right questions as far as emissions from this unit, I don't know if you have radiation or whatever may come, I don't know. I know you're shaking your head but you're going to have to explain to us and probably the public and to the Town Board exactly what you're building there and what it does to surrounding homes, the area. Obviously, we need a site plan. I would treat everything that you're building, the building on the site plan, obviously, you won't have any zoning problems as far as the setbacks, I don't know if you have a zoning problem from the use of the property, we need to look into that. I'm not sure. I don't want to say yes or no at this time. The curb cut has to go to Orange County, we have to treat it as normal curb cut. We need DOT approval from the County, you know, you're going up a hill, it's a very, very dangerous hill that you want to do this, so that's a very important part of this project is that second curb cut. I know you have already talked to him, they give you verbals but that's a whole other process. The bottom line is this is going to be a full site plan, make a site plan like you're putting a building, we need to know all the details. Frankly, I don't know, it might be a pos dec on this because I don't know what affect that would have on the surrounding area, I don't know, I'm sure that I'm crazy, like a radio tower, there's no waves coming out of it but you need to tell us that we need it in writing. I need some hard facts and understand

exactly what you're doing there. The comment you made earlier is that you need the electric capacity, we need it here and we're sensitive to that. In other words, we're not going to say no, don't build it there, we don't want it, go away, but make sure we have enough electric. So I think the board and the Town is willing to look into it, see what you want to build there but it's too much of a sensitive issue I think for the location that it's in which is frankly in the center of town and on an extremely busy road not to have all the facts and know exactly what we're doing, we being the Planning Board, Planning Board's engineer and the Town Board because I'm sure that when we have the public hearing, this room's going to be full and I don't want to sit up here going like humina, humina, humina (phonetic). So can you prepare a full site plan, make an application and we'll start the process. Hopefully, it won't take too long. I know you want to get it up and going. I'm sure Ronny's questions, it's on a hill, you have need retaining walls, topo map, going to be some lighting, landscaping is going to be very important, treat it like it's a building that you're building there. We'll see you when you make a formal application.

Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4693

OFFICE OF THE PLANNING BOARD

PROJECT REVIEW SHEET

TO: HIGHWAY DEPARTMENT

P.B. FILE #**03-12** DATE RECEIVED: **6-6-03**

PLEASE RETURN COMPLETED FORM TO **MYRA** BY: **06-09-03**

THE MAPS AND/OR PLANS FOR:

RECEIVED
JUN 0 9 2003
N.W. HIGHWAY DEPT.

CENTRAL HUDSON GAS & ELECTRIC
Applicant or Project Name

SITE PLAN **XX**, SUBDIVISION ____, LOT LINE CHANGE ____,
SPECIAL PERMIT ____

HAVE BEEN REVIEWED BY THE UNDERSIGNED AND ARE:

☐ APPROVED:

Notes: Needs County Aproval

☐ DISAPPROVED:

Notes: _____

Signature: Henry J Krull 6/11/03
Reviewed by: Date

INTER-OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

SUBJECT: Central Hudson Gas & Electric

DATE: June 9, 2003

Planning Reference Number: PB-03-12
Date Received: 6-6-03
Fire Prevention Reference Number: FPS-03-20

A review of the above referenced site plan was conducted on June 9, 2003.

This site plan is acceptable.

Plans Dated: January 30, 2003.

Thomas R. Lucchesi
Fire Inspector

TRL/dh

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.
RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY & NJ)
MARK J. EDSALL, P.E. (NY, NJ & PA)
JAMES M. FARR, P.E. (NY & PA)

Need info on safety of wires
have them on next agenda
for discussion

☐ Main Office
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Writer's E-mail Address:
mje@mhepc.com

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN / VILLAGE OF: NEW WINDSOR **P/B APP. NO.:** ____ - ____

WORK SESSION DATE: 16 OCT 02 **PROJECT:** NEW X OLD ____

REAPPEARANCE AT W/S REQUESTED: NO **RESUB. REQ'D:** NO

PROJECT NAME: Central Hudson 486-5515

REPRESENTATIVES PRESENT: Bill Thomas, Wayne Mr. Best

MUNICIPAL REPS PRESENT:

BLDG INSP.	____	FIRE INSP.	Bob.
ENGINEER	X	PLANNER	____
P/B CHMN	____	OTHER	____

ITEMS DISCUSSED:

APPROVAL BOX:

- Union Ave - Power Station
- 45' high
- add'l station
-
- Prob no app.

⇒ Discussion ⇐ They are not attending MJE to ask P/B Q.

(they will go to Tom McGlade of OC DPW)

STND CHECKLIST:

DRAINAGE ____
DUMPSTER ____
SCREENING ____
LIGHTING ____
(Streetlights)
LANDSCAPING ____
BLACKTOP ____
ROADWAYS ____

PROJECT TYPE

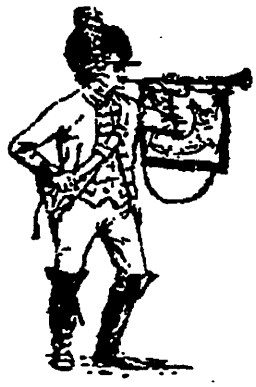
SITE PLAN
SPEC PERMIT
L L CHG.
SUBDIVISION
OTHER

PROJECT STATUS:

ZBA Referral: ____ Y ____ N

Ready For Meeting X Y ____ N

Recommended Mtg Date NEXT MTG DISCUSSION



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision____ Lot Line Change____ Site Plan X Special Permit____

Tax Map Designation: Sec. 12 Block 1 Lot 48 (portion)

1. Name of Project Central Hudson Gas & Electric Corp. Proposed New Substation

2. Owner of Record Central Hudson Gas & Electric Corp. Phone (845)486-5515

   Address: 284 South Avenue Poughkeepsie, NY 12601
   (Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Central Hudson Gas & Electric Corp Phone (845) 486-5515

   Address: 284 South Avenue Poughkeepsie, NY 12601
   (Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Richard H. Chazen, P.E. The Chazen Companies Phone (845)454-3980

   Address: 21 Fox Street, Poughkeepsie, NY 12601
   (Street Name & Number) (Post Office) (State) (Zip)

5. Attorney_____ Phone_____

   Address_____
   (Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

   Bob Thomas, Real Estate, CHG&E (845)486-5515
   (Name) (Phone)

7. Project Location:

   On the north side of Union Avenue _____ feet
   (Direction) (Street) (No.)

   _____ of _____.
   (Direction) (Street)

8. Project Data: Acreage 1.21 Zone R-4 School Dist.

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(PLEASE DO NOT COPY 1 & 2 AS ONE PAGE TWO-SIDED)

2002-1104

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes__________ No__X____

***This information can be verified in the Assessor's Office.**
***If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".**

10. Description of Project: (Use, Size, Number of Lots, etc.) Proposed new substation adjacent to existing substation on Union Avenue, on a 1.21 acre portion of a tax parcel owned by Central Hudson Gas & Electric Corp.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes_____ no__X__

12. Has a Special Permit previously been granted for this property? yes_____ no__X___

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)
SS.:
COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

23RD DAY OF MAY 19 2003 __________________
APPLICANT'S SIGNATURE

[illegible] Notary Public, State of New York [illegible] Qualified in Dutchess County My Commission Expires 3/6/06

NOTARY PUBLIC

Robert Thomas
Please Print Applicant's Name as Signed

****

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ENGINEER & PLANNING

DATE APPLICATION RECEIVED

03-12
APPLICATION NUMBER

TOWN OF NEW WINDSOR PLANNING BOARD

SITE PLAN CHECKLIST

ITEM

1. ✓ Site Plan Title
2. ✓ **Provide 4" wide X 2" high box directly above title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval (ON ALL PAGES OF SP)**
3. ✓ Applicant's Name(s)
4. ✓ Applicant's Address
5. ✓ Site Plan Preparer's Name
6. ✓ Site Plan Preparer's Address
7. ✓ Drawing Date
8. _____ Revision Dates
9. ✓ Area Map Inset and Site Designation
10. _____ Properties within 500' of site
11. _____ Property Owners (Item #10)
12. ✓ Plot Plan
13. ✓ Scale (1" = 50' or lesser)
14. ✓ Metes and Bounds
15. ✓ Zoning Designation
16. ✓ North Arrow
17. ✓ Abutting Property Owners
18. ✓ Existing Building Locations
19. ✓ Existing Paved Areas
20. ✓ Existing Vegetation
21. _____ Existing Access & Egress

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PROPOSED IMPROVEMENTS

22. _____ Landscaping
23. _____ Exterior Lighting
24. _____ Screening
25. ✓ Access & Egress
26. _____ Parking Areas
27. _____ Loading Areas
28. ✓ Paving Details (Items 25 - 27)
29. ✓ Curbing Locations
30. ✓ Curbing through section
31. ✓ Catch Basin Locations
32. ✓ Catch Basin Through Section
33. ✓ Storm Drainage
34. _____ Refuse Storage
35. _____ Other Outdoor Storage
36. _____ Water Supply
37. _____ Sanitary Disposal System
38. _____ Fire Hydrants
39. ✓ Building Locations
40 ✓ Building Setbacks
41. _____ Front Building Elevations
42. _____ Divisions of Occupancy
43. _____ Sign Details
44. ✓ Bulk Table Inset
45. ✓ Property Area (Nearest 100 sq. ft.)
46. ✓ Building Coverage (sq. ft.)
47. ✓ Building Coverage (% of total area)
48. ✓ Pavement Coverage (sq. ft.)
49. ✓ Pavement Coverage (% of total area)
50 _____ Open Space (sq. ft.)
51. _____ Open Space (% of total area)
52. _____ No. of parking spaces proposed
53. _____ No. of parking spaces required

03-12

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

54._____ Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.

55._____ A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SITE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY: _____ 1/31/03
Licensed Professional Date

03-12

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

CENTRAL HUDSON GAS & ELECTRIC CORPORATION, deposes and says that he resides
(OWNER)

at 284 South Ave, Poughkeepsie, NY 12601 in the County of DUTCHESS
(OWNER'S ADDRESS)

and State of NEW YORK and that he is the owner of property tax map

(Sec. 12 Block 1 Lot 48)
designation number(Sec. Block Lot) which is the premises described in

the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Chazen Engineering & Land Surveying Co., P.C. 21 Fox St. Poughkeepsie NY 12601
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: MAY 23, 2003

Owner's Signature

Wayne J. Mancuso
Witness' Signature

Robert L. Mancuso
Applicant's Signature if different than owner

Representative's Signature

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THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.

03-12